



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

January 29, 2025

M-25-14

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Matthew J. Vaeth, Acting Director, Office of Management and Budget

A handwritten signature in blue ink, appearing to read "Matthew J. Vaeth".

SUBJECT: Rescission of M-25-13

OMB Memorandum M-25-13 is rescinded. If you have questions about implementing the President's Executive Orders, please contact your agency General Counsel.



EXECUTIVE OFFICE OF THE PRESIDENT
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In implementing President Trump's Executive Orders, OMB issued guidance requesting that agencies temporarily pause, to the extent permitted by law, grant, loan or federal financial assistance programs that are implicated by the President's Executive Orders.

Any program not implicated by the President's Executive Orders is not subject to the pause.

The Executive Orders listed in the guidance are:

Protecting the American People Against Invasion

Reevaluating and Realigning United States Foreign Aid

Putting America First in International Environmental Agreements

Unleashing American Energy

Ending Radical and Wasteful Government DEI Programs and Preferencing

Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government

Enforcing the Hyde Amendment

Any program that provides direct benefits to individuals is not subject to the pause.

The guidance establishes a process for agencies to work with OMB to determine quickly whether any program is inconsistent with the President's Executive Orders. A pause could be as short as day. In fact, OMB has worked with agencies and has already approved many programs to continue even before the pause has gone into effect.

Any payment required by law to be paid will be paid without interruption or delay.

Q: Is this a freeze on all Federal financial assistance?

A: No, the pause does not apply across-the-board. It is expressly limited to programs, projects, and activities implicated by the President's Executive Orders, such as ending DEI, the green new deal, and funding nongovernmental organizations that undermine the national interest.

Q: Is this a freeze on benefits to Americans like SNAP or student loans?

A: No, any program that provides direct benefits to Americans is explicitly excluded from the pause and exempted from this review process. In addition to Social Security and Medicare, already explicitly excluded in the guidance, mandatory programs like Medicaid and SNAP will continue without pause.

Funds for small businesses, farmers, Pell grants, Head Start, rental assistance, and other similar programs will not be paused. If agencies are concerned that these programs may implicate the President's Executive Orders, they should consult OMB to begin to unwind these objectionable policies without a pause in the payments.

Q: Is the pause of federal financial assistance an impoundment?

A: No, it is not an impoundment under the Impoundment Control Act. It is a temporary pause to give agencies time to ensure that financial assistance conforms to the policies set out in the President's Executive Orders, to the extent permitted by law.

Temporary pauses are a necessary part of program implementation that have been ordered by past presidents to ensure that programs are being executed and funds spent in accordance with a new President's policies and do not constitute impoundments.

Q: Why was this pause necessary?

A: To act as faithful stewards of taxpayer money, new administrations must review federal programs to ensure that they are being executed in accordance with the law and the new President's policies.



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

January 27, 2025

M-25-13

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Matthew J. Vaeth, Acting Director, Office of Management and Budget 

SUBJECT: Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs

The American people elected Donald J. Trump to be President of the United States and gave him a mandate to increase the impact of every federal taxpayer dollar. In Fiscal Year 2024, of the nearly \$10 trillion that the Federal Government spent, more than \$3 trillion was Federal financial assistance, such as grants and loans. Career and political appointees in the Executive Branch have a duty to align Federal spending and action with the will of the American people as expressed through Presidential priorities. Financial assistance should be dedicated to advancing Administration priorities, focusing taxpayer dollars to advance a stronger and safer America, eliminating the financial burden of inflation for citizens, unleashing American energy and manufacturing, ending “wokeness” and the weaponization of government, promoting efficiency in government, and Making America Healthy Again. The use of Federal resources to advance Marxist equity, transgenderism, and green new deal social engineering policies is a waste of taxpayer dollars that does not improve the day-to-day lives of those we serve.

This memorandum requires Federal agencies to identify and review all Federal financial assistance¹ programs and supporting activities consistent with the President’s policies and requirements.² For example, during the initial days of his Administration, President Donald J. Trump issued a series of executive orders to protect the American people and safeguard valuable taxpayer resources, including *Protecting the American People Against Invasion* (Jan. 20, 2025), *Reevaluating and Realigning United States Foreign Aid* (Jan. 20, 2025), *Putting America First in International Environmental Agreements* (Jan. 20, 2025), *Unleashing American Energy* (Jan. 20, 2025), *Ending Radical and Wasteful Government DEI Programs and Preferencing* (Jan. 20,

¹ 2 CFR 200.1 defines Federal financial assistance to mean “[a]ssistance that recipients or subrecipients receive or administer” in various forms, but this term does not include assistance provided directly to individuals. For the purposes of this memorandum, Federal financial assistance includes: (i) all forms of assistance listed in paragraphs (1) and (2) of the definition of this term at 2 CFR 200.1; and (ii) assistance received or administered by recipients or subrecipients of any type except for assistance received directly by individuals.

² Nothing in this memo should be construed to impact Medicare or Social Security benefits.

2025), *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (Jan. 20, 2025), and *Enforcing the Hyde Amendment* (Jan. 24, 2025). These executive orders ensure that Federal funds are used to support hardworking American families.

To implement these orders, each agency must complete a comprehensive analysis of all of their Federal financial assistance programs to identify programs, projects, and activities that may be implicated by any of the President's executive orders. In the interim, to the extent permissible under applicable law, Federal agencies **must temporarily pause** all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders, including, but not limited to, financial assistance for foreign aid, nongovernmental organizations, DEI, woke gender ideology, and the green new deal.

This temporary pause will provide the Administration time to review agency programs and determine the best uses of the funding for those programs consistent with the law and the President's priorities. The temporary pause will become effective on January 28, 2025, at 5:00 PM. Even before completing their comprehensive analysis, Federal agencies must immediately identify any legally mandated actions or deadlines for assistance programs arising while the pause remains in effect. Federal agencies must report this information to OMB along with an analysis of the requirement. OMB also directs Federal agencies to pause all activities associated with open NOFOs, such as conducting merit review panels.

No later than February 10, 2025, agencies shall submit to OMB detailed information on any programs, projects or activities subject to this pause. Each agency must pause: (i) issuance of new awards; (ii) disbursement of Federal funds under all open awards; and (iii) other relevant agency actions that may be implicated by the executive orders, to the extent permissible by law, until OMB has reviewed and provided guidance to your agency with respect to the information submitted.

OMB may grant exceptions allowing Federal agencies to issue new awards or take other actions on a case-by-case basis. To the extent required by law, Federal agencies may continue taking certain administrative actions, such as closeout of Federal awards (2 CFR 200.344), or recording obligations expressly required by law.

Additionally, agencies must, for each Federal financial assistance program: (i) assign responsibility and oversight to a senior political appointee to ensure Federal financial assistance conforms to Administration priorities; (ii) review currently pending Federal financial assistance announcements to ensure Administration priorities are addressed, and, subject to program statutory authority, modify unpublished Federal financial assistance announcements, withdraw any announcements already published, and, to the extent permissible by law, cancel awards already awarded that are in conflict with Administration priorities, and; (iii) ensure adequate oversight of Federal financial assistance programs and initiate investigations when warranted to identify underperforming recipients, and address identified issues up to and including cancellation of awards.

Message

From: Voyles, Travis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B106CBC235C47EFA550A831B623BF28-F26BBFA8-54]
Sent: 2/6/2025 10:17:19 PM
To: Vaseliou, Molly [Vaseliou.Molly@epa.gov]; Hanson, Paige (Catherine) [hanson.catherine@epa.gov]
Subject: RE: Update for you

The only action today is the placement of 168 staff on administrative leave. No action is being taken at this time to eliminate or reorganize OEJECR or the EJ offices in the 10 regional offices.

Travis Voyles
C: (202) 787-0595

From: Vaseliou, Molly <Vaseliou.Molly@epa.gov>
Sent: Thursday, February 6, 2025 5:14 PM
To: Voyles, Travis <voyles.travis@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>
Subject: FW: Update for you

I know this is OMS, but here's the question: Can you also confirm that OEJECR is being "eliminated?" That is the term I was told was used in the staff meetings.

That's not accurate at the moment right? Because we would have to submit a reorg to Congress and because we still have staff doing work.

From: Dawn Reeves <dreeves@iwpnews.com>
Sent: Thursday, February 6, 2025 5:13 PM
To: Vaseliou, Molly <Vaseliou.Molly@epa.gov>; Weiner, Ben <Weiner.Ben@epa.gov>; Gall, Daniel <Gall.Daniel@epa.gov>; Mandy, Cora <Mandy.Cora@epa.gov>
Subject: RE: Update for you

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Thanks – and I won't quote you on it but if you do get more info please do share!

From: Vaseliou, Molly <Vaseliou.Molly@epa.gov>
Sent: Thursday, February 6, 2025 5:10 PM
To: Dawn Reeves <dreeves@iwpnews.com>; Weiner, Ben <Weiner.Ben@epa.gov>; Gall, Daniel <Gall.Daniel@epa.gov>; Mandy, Cora <Mandy.Cora@epa.gov>
Subject: RE: Update for you

I will need to double check. My understanding is that if that were the case there would need to be a formal reorganization plan submitted to Congress (but don't quote me on that).

Molly Vaseliou
Associate Administrator for Public Affairs
Environmental Protection Agency

From: Dawn Reeves <dreeves@iwpnews.com>
Sent: Thursday, February 6, 2025 5:07 PM
To: Vaseliou, Molly <Vaseliou.Molly@epa.gov>; Weiner, Ben <Weiner.Ben@epa.gov>; Gall, Daniel

<Gall.Daniel@epa.gov>; Mandy, Cora <Mandy.Cora@epa.gov>

Subject: RE: Update for you

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Received, thank you!

Can you also confirm that OEJECR is being “eliminated?” That is the term I was told was used in the staff meetings.

From: Vaseliou, Molly <Vaseliou.Molly@epa.gov>

Sent: Thursday, February 6, 2025 4:54 PM

To: Weiner, Ben <Weiner.Ben@epa.gov>; Gall, Daniel <Gall.Daniel@epa.gov>; Mandy, Cora <Mandy.Cora@epa.gov>

Subject: Update for you


“EPA is working to diligently implement President Trump’s executive orders, including the ‘Ending Radical and Wasteful Government DEI Programs and Preferencing,’ as well as subsequent associated implementation memos. President Trump was elected with a mandate from the American people to do just this. Career staff made determinations on which Office of Environmental Justice employees had statutory duties or core mission functions. As such, 168 staffers were placed on administrative leave as their function did not relate to the agency’s statutory duties or grant work. EPA is in the process of evaluating new structure and organization to ensure we are meeting our mission of protecting human health and the environment for all Americans.” – EPA Spokesperson

Molly Vaseliou

Associate Administrator for Public Affairs

Environmental Protection Agency

XJ - 98T65801 - 2 Page 1

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 98T65801 MODIFICATION NUMBER: 2 PROGRAM CODE: XJ	DATE OF AWARD 12/19/2024
			TYPE OF ACTION Augmentation: Increase	MAILING DATE 12/24/2024
			PAYMENT METHOD: ASAP	ACH# 90125
			RECIPIENT TYPE: Not for Profit	
RECIPIENT: SAN DIEGO STATE UNIVERSITY FOUNDATION 5250 CAMPANILE DR MC 1947 SAN DIEGO, CA 92182-1947 EIN: 95-6042721			Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov	
PROJECT MANAGER Rebecca Lewison 5500 Campanile Drive San Diego, CA 92182-4614 Email: rlewis@sdsc.edu Phone: 619-594-8287			EPA PROJECT OFFICER Dani Allen-Williams 75 Hawthorne Street, CED-4-1 San Francisco, CA 94105 Email: AllenWilliams.Dani@epa.gov Phone: 415-972-3800	EPA GRANT SPECIALIST Katya Obrez Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 Email: obrez.katya@epa.gov Phone: 415-972-3744
PROJECT TITLE AND EXPLANATION OF CHANGES Special Purpose Activities Related to Environmental Justice See Attachment 1 for project description.				
BUDGET PERIOD 06/01/2023 - 05/30/2028	PROJECT PERIOD 06/01/2023 - 05/30/2028	TOTAL BUDGET PERIOD COST \$ 9,999,999.00	TOTAL PROJECT PERIOD COST \$ 9,999,999.00	
NOTICE OF AWARD Based on your Application dated 11/01/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 3,000,000.00. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 8,100,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9, U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9, Environmental Justice, Community Engagement and Environmental Review, CED-1 R9 - Region 9 75 Hawthorne Street San Francisco, CA 94105	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official Carolyn Truong - Grants Management Officer				DATE 12/19/2024

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 5,100,000	\$ 3,000,000	\$ 8,100,000
EPA In-Kind Amount	\$ 0	\$ 0	\$ 0
Unexpended Prior Year Balance	\$ 0	\$ 0	\$ 0
Other Federal Funds	\$ 0	\$ 0	\$ 0
Recipient Contribution	\$ 0	\$ 0	\$ 0
State Contribution	\$ 0	\$ 0	\$ 0
Local Contribution	\$ 0	\$ 0	\$ 0
Other Contribution	\$ 0	\$ 0	\$ 0
Allowable Project Cost	\$ 5,100,000	\$ 3,000,000	\$ 8,100,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.309 - Surveys, Studies, Investigations, Training and Special Purpose Activities Relating to Environmental Justice	2023 Consolidated Appropriations Act (PL 117-328) Clean Air Act: Sec. 103(b)(3) Clean Water Act: Sec. 104(b)(3) Solid Waste Disposal Act: Sec. 8001(a) 2022 Consolidated Appropriations Act (PL 117-103) Clean Air Act: Sec. 138	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	25125WB110	2226	BSF5	WF	000W57XKS	4140	12IRATA	-	\$ 3,000,000
									\$ 3,000,000

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 1,086,330
2. Fringe Benefits	\$ 345,160
3. Travel	\$ 285,000
4. Equipment	\$ 0
5. Supplies	\$ 44,275
6. Contractual	\$ 150,000
7. Construction	\$ 0
8. Other	\$ 6,907,147
9. Total Direct Charges	\$ 8,817,912
10. Indirect Costs: 0.00 % Base See General T/C	\$ 1,182,087
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %)	\$ 9,999,999
12. Total Approved Assistance Amount	\$ 9,999,999
13. Program Income	\$ 0
14. Total EPA Amount Awarded This Action	\$ 3,000,000
15. Total EPA Amount Awarded To Date	\$ 8,100,000

Attachment 1 - Project Description

The purpose of this project is to empower communities by providing critical services to community organizations. These services will expand participants' capacity to meet community-defined priorities and participate meaningfully in decision-making processes, focusing specifically on underserved, rural, remote, tribal, indigenous, and Pacific Island communities across EPA Region 9. The goal/mission is to leverage and strengthen community assets by creating an accessible in-person and virtual community that builds capacity and provides technical assistance in energy and environmental justice centered around four unifying objectives: 1) Outreach and partnership building, 2) Development of resources, 3) Transfer of knowledge and building community capacity, 4) Evaluation, adaptation, and innovation. The hub of the Thriving Communities Technical Assistance Centers (TCTAC) will be based in a physical and virtual center at San Diego State University (SDSU) called the Center for Community Energy and Environmental Justice. Hub partners will work to coordinate activities in their area(s) of expertise across all of EPA Region 9 and will facilitate co-production, co-development, sharing, transfer, and delivery of both process and content among Spoke partners and community partners for environmental programs (air, water, waste, energy, toxics) and grantsmanship. Spoke partners will lead on delivering services (in person and virtually) to eligible community organizations, building and expanding on their existing eligible community organizations in their network and identifying and connecting with new community organizations, supporting community engagement and capacity building.

Hub Partners include: SDSU Community Climate Action Network, Environmental Protection Network, USD Energy Policy Initiative Center, ASU Energy and Society, Institute for Tribal Environmental Professionals, and Center for Creative Land Recycling.

Spoke Partners include: Climate Science Alliance (CA), Public Health Alliance (CA), Arizona State Univ School of Sustainability (AZ), Desert Research Institute (NV), Pacific RISA (HI, AS), and Univ of Guam Center for Island Sustainability (Guam).

This amendment provides additional partial federal funding in the amount of \$3,000,000. See terms and conditions.

Administrative Conditions

Previous Administrative Terms and Conditions are reiterated and updated.

General Terms and Conditions

The recipient agrees to comply with the current Environmental Protection Agency (EPA) general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2024-or-later>

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Federal Financial Reporting (FFR)

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **June 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The annual FFR will be submitted electronically to rtfpc-grants@epa.gov no later than **September 30** of the same calendar year. Find additional information at <https://www.epa.gov/financial/grants>. (Per 2 CFR § 200.344(b), the recipient must submit the Final FFR to rtfpc-grants@epa.gov within 120 days after the end of the project period.)

B. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR § 200.319. In accordance with 2 CFR § 200.324, the recipient and subawardee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications. *State and Tribal government entities must follow procurement standards as outlined in 2 CFR § 200.317.*

C. MBE/WBE Reporting, 40 CFR, Part 33, Subpart E (EPA Form 5700-52A)

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions is located at <https://www.epa.gov/grants/epa-grantee-forms>

This provision represents an approved exception from the MBE/WBE reporting requirements as described in 40 CFR Section 33.502.

Reporting is required for assistance agreements where funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category) with a cumulative total that exceed the **Simplified Acquisition Threshold (SAT) currently set at \$250,000** (the dollar threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1), including amendments and/or modifications. All procurement actions are reportable when reporting is required, not just the

portion which exceeds the SAT.

Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 4A when completing the form.

When completing the annual report, recipients are instructed to check the box titled “annual” in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the “Final Report (project completed)” in section 1B of the form.

The annual reports are due by October 30th of each calendar year and the final report is due within 120 days after the end of the project period, whichever comes first. The recipient will submit the MBE/WBE report(s) and/or questions to GrantsRegion9@epa.gov and the EPA Grants Specialist identified on page 1 of the award document.

D. Subaward(s)

The recipient's approved budget includes subaward(s). As applicable, the recipient will comply with the General Term and Condition on reporting of first tier subawards to www.fsrs.gov per “Reporting Subawards and Executive Compensation” requirement.

Programmatic Conditions

All previous Programmatic Terms and Conditions remain the same except Condition v. and w. now applies and Condition h. is deleted.

h.] Conditional Award - Deleted

v.] Inflation Reduction Act (IRA) Technical Assistance (TA) Funding

1. Tracking and Drawdown of Funding by Appropriation and Project Code

For this award, activities will be funded by EPA Environmental Programs and Management Funds (EPM), DOE's Infrastructure Investment and Jobs Act (IIJA), and Inflation Reduction Act (IRA) Technical Assistance funds and there will be separate project codes for each source of funding. Accordingly, for purposes of tracking and the drawdown of funding to perform the activities under this agreement the following provisions apply:

- The Recipient agrees to have financial and programmatic management systems in place to track costs according to project codes, source of funding, and any other relevant categories as directed by the EPA Project Officer. The Recipient agrees to allocate direct costs according to the project codes in accordance with relative benefits received (2 CFR §200.405 –Allocable costs). EPA will provide the project codes to the Recipient. Indirect costs shall be allocated consistent with the uniform grant guidelines (2 CFR §200).
- EPA will provide the project codes to the Recipient upon award and provide training to the Recipient on how to draw down funds in accordance with the project codes, source of funding, and other applicable accounting requirements.
- The Recipient must track expenditures of EPA EPM, DOE IIJA, and IRA TA funds separately based on the associated appropriation and project code, and comply with EPA, DOE, IRA, and OMB requirements. This applies to subaward recipients as well. This includes the Recipient:
- Tracking IIJA, IRA, and “regular” EPM funds separately using Agency-provided project codes and accounting fields as appropriate.
- Tracking all IIJA, IRA, and non-IIJA expenditures and draw down the funding separately by appropriation and project code and using the assigned IIJA, IRA, or non-IIJA “site” in ASAP (the Automated Standard Application Payment system), track expenditures, and include this information in quarterly progress reports to EPA or as requested.
- Tracking and reporting on outputs and outcomes achieved by project code.
- The Grant Management Officer may amend these provisions as necessary.

- The EJ TCTAC Project Codes for the SDSU TCTAC are as follows:
- EPA Project Code: __12EPMEJ____
- DOE Project Code: __12IIJAEJ____
- IRA TA Project Code: ____12IRATA____
- All Other Lines of Accounting: No Site

2. Allowable uses of IRA Technical Assistance Funds

The authority for assistance awards under this program is Section 60201 of the Inflation Reduction Act (IRA) which amends the Clean Air Act by adding Section 138(a)(2) and states “\$200,000,000 to remain available until September 30, 2026, to provide technical assistance to eligible entities related to grants awarded under this section.” The IRA technical assistance (TA) funds issued to the EJ TCTACs are specifically for the EJ TCTACs to coordinate with the EJ Thriving Communities Grantmaking program recipients (Grantmakers) and/or provide additional technical assistance and support to applicants and subgrantee recipients funded through the Grantmaker program. The Grantmakers and their subawardees and subgrantees have received and/or will receive funding from the \$2.8 billion for Environmental and Climate Justice Block grants detailed in the statute. The funds issued to the EJ TCTACs will encourage and facilitate collaboration between the EJ TCTACs and Grantmakers and to achieve the goals for both programs. Example TCTAC-Grantmaker collaboration activities include but are not limited to:

- TCTACs actively identify requestors that meet eligibility criteria and are interested in applying for the TCGM subgrant opportunities.
- TCTACs provide pre and post award support to Grantmaker applicants and grantees as requested by grantee.
- TCTACs and Grantmakers actively communicate to align communication channels.
- TCTACs publicize Regional Grantmaker funding opportunities on preferred communication channels.
- TCTACs actively invite (where appropriate) Regional Grantmakers to present on the funding opportunities at outreach and engagement events with communities.
- TCTACs communicate with Grantmakers to understand the funding opportunity program timelines, regional outreach strategies, core competencies, etc.

- TCTACs identify severely capacity-constrained entities that are more appropriate for the Grantmaker non-competitive fixed-amount awards and refer them directly to the Grantmakers for consideration.
- TCTACs collaborate with the Grantmakers to showcase community success stories for communities and organizations that receive support from both the TCTACs and Grantmakers.
- TCTACs ensure there is consistent messaging on their respective media and published written documents when communicating with communities about the Grantmaker program.

Eligible activities for drawdowns include but are not limited to those outlined under the TCTAC-Grantmaker Collaboration Guidance document. That document is subject to expansion. TCTACS are required to regularly check with the assigned EPA Project Officer for updated guidance related to IRA TA funds and allowable uses.

3. IRA Technical Assistance Funds Reporting.

Details on drawdown amounts and activities performed with IRA TA funding should be incorporated and reported by each EJ TCTAC as part of the required quarterly progress reports. TCTACs must provide a level of detail in the report on use of the IRA TA funds, expenses, and drawdown amounts over each quarter sufficient to demonstrate proper accounting and financial management practices to ensure proper use of IRA TA funds. Each assigned EPA Project Officer will review these quarterly reports for compliance with this term and condition.

w.] Termination

Notwithstanding the General Term and Condition "Termination", EPA maintains the right to terminate the Assistance Agreement only as specified in 2 CFR 200.339 and the version of 2 CFR 200.340 applicable to EPA grants as of July 1, 2024 pursuant to 89 FR 55262 (July 3, 2024), when the noncompliance with the terms and conditions is substantial such that effective performance of the Assistance Agreement is materially impaired or there is adequate evidence of waste, fraud, or abuse, prompting adverse action by EPA per 2 CFR 200.339, through either a partial or full termination. In accordance with 2 CFR 200.341, EPA will provide the Recipient notice of termination.

If EPA partially or fully terminates the Assistance Agreement, EPA must (1) de-obligate uncommitted funds and re-obligate them to another Eligible Recipient to effectuate the objectives of the Environmental Justice Thriving Communities Technical Assistance Centers (TCTAC) Program within 90 days of the de-obligation and (2) amend the Recipient's Assistance Agreement to reflect the reduced amount, based on the de-obligation.

***** END OF ASSISTANCE AGREEMENT *****

Message

From: Voyles, Travis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B106CBC235C47EFA550A831B623BF28-F26BBFA8-54]
Sent: 1/22/2025 1:59:08 PM
To: Atkinson, Emily [Atkinson.Emily@epa.gov]
CC: Corlett, Thomas [Corlett.Thomas@epa.gov]
Subject: FW: tracking executive orders, Presidential memos, and similar issuances
Attachments: overview of recent Presidential memos.docx

Travis Voyles
C: (202) 787-0595

From: Payne, James (Jim) <payne.james@epa.gov>
Sent: Wednesday, January 22, 2025 8:04 AM
To: Hardy, Michael (he/him/his) <Hardy.Michael@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>
Cc: McIntosh, Chad <mcintosh.chad@epa.gov>; Voyles, Travis <voyles.travis@epa.gov>; Donahue, Sean <donahue.sean@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Patrick, Kimberly (she/her/hers) <Patrick.Kimberly@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: tracking executive orders, Presidential memos, and similar issuances

Michael - thank you for this draft tracker from Office of Policy for executive orders, Presidential memos, and similar issuances, and for completion of tasks under them. Pls also be sure to coordinate with OGC and any involved Offices for review, and keep us posted on any updated versions (especially as might be more issuances this week). I expect that DAAs and others will find this very helpful. Adding Chad and Travis as FYI.

Sent from my iPhone

Begin forwarded message:

From: "Hardy, Michael (he/him/his)" <Hardy.Michael@epa.gov>
Date: January 22, 2025 at 6:40:22 AM EST
To: "Payne, James (Jim)" <payne.james@epa.gov>
Subject: RE: Presidential Memo on regulatory review, paragraph 3 - consider extending effective date of rules

Good morning Jim,

OP has taken an initial review of the EO's on the White House site and has compiled the attached document for your review. As these increase in number we will need assistance in maintaining/tracking new EO's.

Michael Hardy
Deputy Associate Administrator and Federal Preservation Officer
Office of Policy
3511-North Building
U.S. Environmental Protection Agency
202-564-7899 – Desk; 571-344-5096 – Mobile

Please note that I sent this email at a time that was convenient for me without expectation for a response outside of business hours. If you receive this email outside of your normal working hours, please know that I do not expect a response until you are back at work during your normal hours.

[.]

Recent Presidential memos, announcements, and EOs

Title	Date	EPA interest	Likely EPA offices implicated
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/cabinet-and-cabinet-level-appointments/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/sub-cabinet-appointments/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/designation-of-acting-leaders/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/designation-of-chairmen-and-acting-chairmen/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/flying-the-flag-of-the-united-states-at-full-staff-on-inauguration-day/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/initial-rescissions-of-harmful-executive-orders-and-actions/" \t "_self"]	1/21/2025	Revokes numerous EOs, including several related to climate, EJ, DEIA, and regulatory review	OEJCR, OP, OMS, OAR, and others
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/restoring-freedom-of-speech-and-ending-federal-censorship/" \t "_self"]	1/21/2025		

Title	Date	EPA interest	Likely EPA offices implicated
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/ending-the-weaponization-of-the-federal-government/" \t "_self"]	1/21/2025	Directs all agencies to review the exercise of civil or criminal enforcement over the last 4 years	OECA
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/return-to-in-person-work/" \t "_self"]	1/21/2025	"Heads of all departments and agencies in the executive branch of Government shall, as soon as practicable, take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis, provided that the department and agency heads shall make exemptions they deem necessary."	OMS
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/regulatory-freeze-pending-review/" \t "_self"]	1/21/2025	Pull back rules from OFR publication, do not propose or issue a rule without policy level review, consider postponing effective dates	OP
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/hiring-freeze/" \t "_self"]	1/21/2025	"... no Federal civilian position that is vacant at noon on January 20, 2025, may be filled, and no new position may be created except as otherwise provided for in this memorandum or other applicable law." OPM, OMB, and USDS "shall submit a plan to reduce the size of the Federal Government's workforce through efficiency improvements and attrition" within 90 days.	OPM
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/delivering-emergency-price-relief-for-american-families-and-defeating-the-cost-of-living-crisis/" \t "_self"]	1/21/2025	"...eliminate harmful, coercive "climate" policies that increase the costs of food and fuel."	?
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-	1/21/2025	Withdraw from Paris Agreement and from "any agreement, pact, accord, or similar commitment made under the United Nations Framework Convention on Climate Change." Also "cease or revoke any purported	OITA, OAR, and others (?)

Title	Date	EPA interest	Likely EPA offices implicated
international-environmental-agreements/" \t "_self"]		financial commitment made by the United States under the United Nations Framework Convention on Climate Change" and report within 30 days on actions taken to do so.	
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/granting-pardons-and-commutation-of-sentences-for-certain-offenses-relating-to-the-events-at-or-near-the-united-states-capitol-on-january-6-2021/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/application-of-protecting-americans-from-foreign-adversary-controlled-applications-act-to-tiktok/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/withdrawing-the-united-states-from-the-worldhealth-organization/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/restoring-accountability-to-policy-influencing-positions-within-the-federal-workforce/" \t "_self"]	1/21/2025	EO 13957 that created Schedule F is reinstated with some modifications and portions of an OPM rule that was finalized in April of 2024 are inoperative and without effect	OMS
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/holding-former-government-officials-accountablefor-election-interference-and-improper-	1/21/2025		

Title	Date	EPA interest	Likely EPA offices implicated
disclosure-of-sensitive-governmental-information/" \t "_self"]			
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-emergency-at-the-southern-border-of-the-united-states/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/memorandum-to-resolve-the-backlog-of-security-clearances-for-executive-office-of-the-president-personnel/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/america-first-trade-policy/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/clarifying-the-militarys-role-in-protecting-the-territorial-integrity-of-the-united-states/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/" \t "_self"]	1/21/2025	"The heads of all agencies shall review all existing regulations, orders, guidance documents, policies, settlements, consent orders, and any other agency actions (collectively, agency actions) to identify those agency actions that impose an undue burden on the identification, development, or use of domestic energy resources — with particular attention to oil, natural gas, coal, hydropower, biofuels, critical mineral, and nuclear energy resources — or that are otherwise inconsistent with the policy set forth in section 2 of this order,	OAR, OP, OGC, OCFO, OECA, and other offices

Title	Date	EPA interest	Likely EPA offices implicated
		<p>including restrictions on consumer choice of vehicles and appliances.”</p> <p>“Within 30 days of the date of this order, the head of each agency shall, in consultation with the director of the Office of Management and Budget (OMB) and the National Economic Council (NEC), develop and begin implementing action plans to suspend, revise, or rescind all agency actions identified as unduly burdensome under subsection (a) of this section, as expeditiously as possible and consistent with applicable law.” Revokes 12 prior Executive Orders and terminates the American Climate Corps. CEQ to provide NEPA guidance in 30 days, and agencies to then revise implementing regulations. Agencies to eliminate permitting delays. Disbands the social costs of GHG IWG and documents based on the IWG’s work or guidance. Within 60 days, EPA to issue guidance to address inadequacies in the social cost of carbon calculation. Within 30 days, EPA to recommend to OMB the legality and applicability of the 2009 GHG endangerment finding. Pause disbursement of IRA and IIJA funds, review those programs, and provide a report of that review within 90 days. Submit a report within 30 days on using enforcement discretion to further the goals of the EO. “.... identify all agency actions that impose undue burdens on the domestic mining and processing of non-fuel minerals and undertake steps to revise or rescind such actions.”</p>	
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/realigning-the-united-states-refugee-admissions-program/" \t "_self"]	1/21/2025		

Title	Date	EPA interest	Likely EPA offices implicated
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-meaning-and-value-of-american-citizenship/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/securing-our-borders/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/putting-people-over-fish-stopping-radical-environmentalism-to-provide-water-to-southern-california/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/restoring-the-death-penalty-and-protecting-public-safety/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/promoting-beautiful-federal-civic-architecture/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/restoring-accountability-for-career-senior-executives/" \t "_self"]	1/21/2025	Within 30 days, OPM and OMB to issue SES performance plans that agencies must adopt. Each agency to reinvigorate the SES system and prize accountability, reassign SES if necessary, terminate the current ERB and PRB and re-staff both boards.	OMS
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/" \t "_self"]	1/21/2025	Agencies are directed to “identify and exercise any lawful emergency authorities available to them, as well as all other lawful authorities they may possess, to facilitate the identification, leasing, siting, production,	

Title	Date	EPA interest	Likely EPA offices implicated
		<p>transportation, refining, and generation of domestic energy resources, including, but not limited to, on Federal lands.” EPA with concurrence by DOE “shall consider issuing emergency fuel waivers to allow the year-round sale of E15 gasoline to meet any projected temporary shortfalls in the supply of gasoline across the Nation.” Agencies “shall identify and use all relevant lawful emergency and other authorities available to them to expedite the completion of all authorized and appropriated infrastructure, energy, environmental, and natural resources projects that are within the identified authority of each of the Secretaries to perform or to advance.” Agencies “shall identify and use all lawful emergency or other authorities available to them to facilitate the supply, refining, and transportation of energy in and through the West Coast of the United States, Northeast of the United States, and Alaska.” Within 30 days, all agencies shall “identify planned or potential actions to facilitate the Nation’s energy supply that may be subject to emergency treatment pursuant to the regulations and nationwide permits promulgated by the Corps, or jointly by the Corps and EPA, pursuant to section 404 of the Clean Water Act” and shall provide a report listing such actions. Each agency is to provide a status update 30 days after the initial report. Agencies are also directed to provide a report listing actions that may be addressed by ESA regulation on consultations in emergencies.</p>	
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/temporary-withdrawal-of-all-areas-on-the-outer-continental-shelf-from-offshore-wind-leasing-and-review-	1/21/2025	Withdraws all OCS areas from new or renewed wind energy leasing. DOI, USDA, DOE, EPA and “all other relevant agencies, shall not issue new or renewed approvals, rights of way, permits, leases, or loans for onshore or offshore wind projects pending the	

Title	Date	EPA interest	Likely EPA offices implicated
of-the-federal-governments-leasing-and-permitting-practices-for-wind-projects/" \t "_self"]		completion of a comprehensive assessment and review of Federal wind leasing and permitting practices." DOI to lead that assessment. "The Secretary of the Interior, the Secretary of Energy, and the Administrator of the Environmental Protection Agency shall assess the environmental impact and cost to surrounding communities of defunct and idle windmills and deliver a report to the President, through the Assistant to the President for Economic Policy, with their findings and recommended authorities to require the removal of such windmills."	
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/organization-of-the-national-security-council-and-subcommittees/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/the-organization-for-economic-co-operation-and-development-oecd-global-tax-deal-global-tax-deal/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-	1/21/2025		

Title	Date	EPA interest	Likely EPA offices implicated
actions/2025/01/unleashing-alaskas-extraordinary-resource-potential/" \t "_self"]			
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-united-states-from-foreign-terrorists-and-othenational-security-and-public-safety-threats/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/america-first-policy-directive-to-the-secretary-of-state/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/establishing-and-implementing-the-presidents-department-of-government-efficiency/" \t "_self"]	1/21/2025	In consultation with USDS, each Agency Head shall establish within their respective Agencies a DOGE Team of at least four employees. Agency Heads shall ensure that DOGE Team Leads coordinate their work with USDS and advise their respective Agency Heads on implementing the President 's DOGE Agenda. The USDS Administrator shall commence a Software Modernization Initiative to improve the quality and efficiency of government-wide software, network infrastructure, and information technology (IT) systems. Agency Heads shall take all necessary steps, in coordination with the USDS Administrator and to the maximum extent consistent with law, to ensure USDS has full and prompt access to all unclassified agency records, software systems, and IT systems.	OMS
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-	1/21/2025	"It is the policy of the United States to recognize two sexes, male and female. These sexes are not changeable and are grounded in fundamental and incontrovertible reality. Under my direction, the	OMS

Title	Date	EPA interest	Likely EPA offices implicated
restoring-biological-truth-to-the-federal-government/" \t "_self"]		Executive Branch will enforce all sex-protective laws to promote this reality, and the following definitions shall govern all Executive interpretation of and application of Federal law and administration policy..." "When administering or enforcing sex-based distinctions, every agency and all Federal employees acting in an official capacity on behalf of their agency shall use the term "sex" and not "gender" in all applicable Federal policies and documents." "Agencies shall remove all statements, policies, regulations, forms, communications, or other internal and external messages that promote or otherwise inculcate gender ideology, and shall cease issuing such statements, policies, regulations, forms, communications or other messages. Agency forms that require an individual's sex shall list male or female, and shall not request gender identity. Agencies shall take all necessary steps, as permitted by law, to end the Federal funding of gender ideology." "Within 120 days of the date of this order, each agency head shall submit an update on implementation of this order..."	
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/" \t "_self"]	1/21/2025	OMB and OPM "shall coordinate the termination of all discriminatory programs, including illegal DEI and "diversity, equity, inclusion, and accessibility" (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government, under whatever name they appear." "Federal employment practices, including Federal employee performance reviews, shall reward individual initiative, skills, performance, and hard work and shall not under any circumstances consider DEI or DEIA factors, goals, policies, mandates, or requirements." Within 60 days agencies are to terminate DEI, DEIA, and EJ offices and positions; all equity action plans, actions, initiatives, or programs;	OMS, OCFO, OEJECR

Title	Date	EPA interest	Likely EPA offices implicated
		equity related grants or contracts, and all DEI and DEIA performance requirements. Provide to OMB a list of DEI, DEIA, or “environmental justice” positions, committees, programs, services, activities, budgets, and expenditures in existence on November 4, 2024; federal contractors who provided DEI or DEIA training; and federal grantees who received funding to advance DEI, DEIA, or EJ programs, services, or activities.	
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/reforming-the-federal-hiring-process-and-restoring-merit-to-government-service/" \t "_self"]	1/21/2025	Within 120 days, a Federal Hiring Plan will be developed by the EOP. The plan will, among other things, decrease time to hire to under 80 days and improve the allocation of SES positions. OPM to establish performance metrics to evaluate success of the reforms.	OMS
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/designating-cartels-and-other-organizations-as-foreign-terrorist-organizations-and-specially-designated-global-terrorists/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/restoring-names-that-honor-american-greatness/" \t "_self"]	1/21/2025		
[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/" \t "_self"]	1/21/2025		

Message

From: Voyles, Travis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B106CBC235C47EFA550A831B623BF28-F26BBFA8-54]
Sent: 3/21/2025 4:14:12 PM
To: Deeley, Blake R. EOP/WHO [Blake.R.Deeley2@who.eop.gov]
CC: Underwood, Emily A. EOP/WHO [Emily.A.Underwood@who.eop.gov]; Blakely, Kyser S. EOP/WHO [Kyser.S.Blakely@who.eop.gov]; Doffermyre, William L. EOP/WHO [William.L.Doffermyre@who.eop.gov]
Subject: RE: Weekly Updates
Attachments: Weekly Update to NEDC - EPA - Week of March 17_2025-03-21.docx

Attached is the EPA update for the call today. Looking forward to it.

Jess Kramer (water) and Aaron Szabo (air) will be joining and between us three we should be able to speak to anything energy/cost of living related actions at EPA.

--

Travis Voyles
Assistant Deputy Administrator
Office of the Administrator
U.S. Environmental Protection Agency
C: (202) 787-0595

From: Deeley, Blake R. EOP/WHO <Blake.R.Deeley2@who.eop.gov>
Sent: Monday, March 17, 2025 7:59 PM
To: jodee_hanson@ios.doi.gov; gregory_wischer@ios.doi.gov; bbrooke@doc.gov; Voyles, Travis <voyles.travis@epa.gov>; kailee.buller@usda.gov; Scarlett, Katherine R. EOP/CEQ <Katherine.R.Scarlett@ceq.eop.gov>; alexander.fitzsimmons@hq.doe.gov; milton.w.boyd.civ@army.mil
Cc: Underwood, Emily A. EOP/WHO <Emily.A.Underwood@who.eop.gov>; Blakely, Kyser S. EOP/WHO <Kyser.S.Blakely@who.eop.gov>; Doffermyre, William L. EOP/WHO <William.L.Doffermyre@who.eop.gov>
Subject: Weekly Updates

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good evening!

Great work so far on all your implementation efforts. Thanks to your hard work, we're making great progress toward achieving the President's agenda and unleashing American energy. Keep it up!

As implementation grows across all agencies, so does the need for NEDC to maintain clear visibility on the numerous achievements, messaging strategies, due outs, specific deregulatory efforts, and other major projects. Therefore, we've developed a comprehensive Weekly Update for each agency. *(See attached for your agency's specific Weekly Update.)*

The Weekly Update is relatively straightforward.

- In Part I (where it says "[Description]"), please describe your agency's most significant achievements from the past week as they relate to permitting and deregulation.

- In Part II (where it says “[Description]”), please describe your agency’s upcoming public announcements related to energy projects or policy. If a date has already been set, please include it. Please also indicate the best point of contact.
- Part III lists the EO tasks specific to your agency and the respective due date. For each task, please provide the most recent update (subpart b), the actions your agency plans to take going forward, along with a target completion date (subpart c), and the best point of contact (subpart d).
- In Part IV, please identify and describe specific deregulatory actions your agency is taking or is planning to take, along with the best point of contact. Importantly, the deregulatory actions listed here should not duplicate any deregulatory actions already identified in Part III.
- In Part V, please identify and describe permitting actions your agency is taking or is planning to take with respect to major projects, along with the best point of contact. Importantly, the permitting actions listed here should not duplicate any permitting actions already identified in Part III.

We understand some responses may be duplicative. In that case, you can refer to a prior response instead of copying and pasting the same material again. Please submit (via email) the completed Weekly Update by this **Wednesday (3/19) at 10:00 am ET**. Please include Will, myself, and DCOSP team (Emily and Kyser) on that email. Also, please be on the lookout for agency-specific meetings during the back half of this week to discuss the Weekly Updates, including establishing a consistent schedule for submitting the Weekly Update.

Please let us know if you have any questions. Happy to jump on a call with you to discuss further.

-Blake

Blake Deeley
National Energy Dominance Council
202.814.7253
Blake.r.deeley2@who.eop.gov

ENVIRONMENTAL PROTECTION AGENCY

Weekly Update to the National Energy Dominance Council
Week of March 16, 2025

I. Most Significant Achievements (Permitting and/or Deregulatory)

- A. *EPA Announced Greatest Day in Deregulation History* – Last week, EPA announced the agency will undertake 31 historic actions in the greatest and most consequential day of deregulation in U.S. history, to advance President Trump’s Day One executive orders and Power the Great American Comeback. These historic actions will roll back trillions in regulatory costs and hidden “taxes” on U.S. families. As a result of these announcements, the cost of living for American families will decrease. It will be more affordable to purchase a car, heat homes, and operate a business. It will be more affordable to bring manufacturing into local communities while individuals widely benefit from the tangible economic impacts.
- B. *Clarity for Construction Projects under “Waters of the US”* - EPA and Army Corps of Engineers announced an expedited review the definition of “waters of the United States” to provide a revised definition follows the law, and guidance to those in the field implementing the Biden-era rules to immediately change course to be consistent with the U.S. Supreme Court’s decision in Sackett. This immediate action will provide relief to developers involved in construction projects from housing to mining and it reduces red-tape, cuts overall permitting costs, and lowers the cost of doing business in communities across the country while protecting the nation’s navigable waters from pollution.
- C. *Streamlined Underground Injection Control (UIC) Permitting* – EPA is expediting critical permitting reform and getting decision-making out of the hands of DC and into the states to support energy and related water projects that incorporate underground injection wells, either for resource extraction or waste storage. EPA launched an internal task force to streamline the process to approve state programs to get EPA completely out of permitting. With new applications for Texas and ongoing application for Arizona, the Task Force will utilize timing targets to expedite future EPA reviews and approvals for all the types of UIC state primacy reviews and permitting. Streamlining UIC permits means faster energy development, creating good-paying jobs, and ensuring affordable energy for businesses and families.

II. Upcoming Public Announcements

- A. Week of March 24 – No Energy/Cost of Living-Related Announcements Anticipated
 - 1. POC: Travis Voyles (AO), Molly Vaseliou (OPA)

III. EO Tasks

A. [HYPERLINK "<https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>"] (January 20, 2025)

1. Submit report to OMB that identifies whether and how enforcement discretion and regulations can advance American energy. (No. 129)

a. *Due:* February 19, 2025

(i) Feb. 19 – EPA has submitted a report to OMB detailing directed a shift in the EPA Office of Enforcement and Compliance Assurance (OECA) from heavy-handed enforcement, to a compliance model and working more collaboratively with states and within the EPA universe of regional and headquarters/national program offices. EPA has also been working as part of this process to assess whether enforcement discretion of authorities and regulations can be utilized. While EPA’s assessment of these authorities is still ongoing, the following issue/policy areas have been identified as proprieties for applying identified enforcement discretion:

(1) Oil and gas regulations (OOOOa-c)

(2) Emission guidelines for EGUs

(3) National Emission Standards for Hazardous Air Pollutants (NESHAP) (i.e. benzene)

(4) Data center and other uses of diesel generators for emergency use

(5) Tailpipe vehicle regulations

(6) Coal ash residual storage requirements

(ii) Feb 12 – EPA announced updated enforcement discretion to allow the agency to better focus on its core mission and Powering the Great American Comeback. Specifically, he announced that EPA will immediately revise National Enforcement and Compliance Initiatives to ensure that enforcement does not discriminate based on race and socioeconomic status (as it has under environmental justice initiatives) or shut down energy production and that it focuses on the most pressing health and safety issues. This focus on EPA’s established mission will also provide predictability as EPA considers changes to regulations, thereby lowering costs for Americans and relieving the economy of potentially unnecessary bureaucratic burdens.

(1) [HYPERLINK
 "https://www.epa.gov/system/files/documents/2025-03/ImplementingNECConsistentlyWithEOsandAgencyPriorities.pdf"]

(2) [HYPERLINK
 "https://www.epa.gov/newsreleases/administrator-zeldindirects-enforcement-resources-align-executive-orders-and-epas"]

b. *Weekly Update*: No Update

c. *Interim Action Items and Targeted Completion Dates*:

(i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will deploy enforcement discretion to ensure the transition to a compliance model with appropriate regulations. As any enforcement discretion is deployed, we will provide updates to NEDC/NEC/OMB.

d. *POC*: Travis Voyles (AO), Jeff Hall (OECA)

2. Review and revise all agency actions burdening domestic energy. (No. 115)

a. *Due*: Immediately

(i) Day 1-Ongoing – See attached *EPA Action Tracker* for full list of significant actions, including interim actions and targeted milestones for deregulatory actions

(ii) March 12 – EPA announced the agency will undertake 31 historic actions in the greatest and most consequential day of deregulation in U.S. history, to advance President Trump’s Day One executive orders and Power the Great American Comeback. These historic actions will roll back trillions in regulatory costs and hidden “taxes” on U.S. families. As a result of these announcements, the cost of living for American families will decrease. It will be more affordable to purchase a car, heat homes, and operate a business. It will be more affordable to bring manufacturing into local communities while individuals widely benefit from the tangible economic impacts. ([HYPERLINK "https://www.epa.gov/newsreleases/epa-launches-biggest-deregulatory-action-us-history"])

(A) Reconsideration of regulations on power plants (Clean Power Plan 2.0)

(B) Reconsideration of regulations throttling the oil and gas industry (OOOO b/c)

- (C) Reconsideration of Mercury and Air Toxics Standards that improperly targeted coal-fired power plants (MATS)
- (D) Reconsideration of mandatory Greenhouse Gas Reporting Program that imposed significant costs on the American energy supply (GHG Reporting Program)
- (E) Reconsideration of limitations, guidelines and standards (ELG) for the Steam Electric Power Generating Industry to ensure low-cost electricity while protecting water resources (Steam Electric ELG)
- (F) Reconsideration of wastewater regulations for oil and gas development to help unleash American energy (Oil and Gas ELG)
- (G) Reconsideration of Biden-Harris Administration Risk Management Program rule that made America's oil and natural gas refineries and chemical facilities less safe (Risk Management Program Rule)
- (H) Reconsideration of light-duty, medium-duty, and heavy-duty vehicle regulations that provided the foundation for the Biden-Harris electric vehicle mandate (Car GHG Rules)
- (I) Reconsideration of the 2009 Endangerment Finding and regulations and actions that rely on that Finding (Endangerment Finding)
- (J) Reconsideration of technology transition rule that forces companies to use certain technologies that increased costs on food at grocery stores and semiconductor manufacturing (Technology Transition Rule)
- (K) Reconsideration of Particulate Matter National Ambient Air Quality Standards that shut down opportunities for American manufacturing and small businesses (PM 2.5 NAAQS)
- (L) Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs)

- (M) Restructuring the Regional Haze Program that threatened the supply of affordable energy for American families (Regional Haze)
 - (N) Overhauling Biden-Harris Administration's "Social Cost of Carbon"
 - (O) Redirecting enforcement resources to EPA's core mission to relieve the economy of unnecessary bureaucratic burdens that drive up costs for American consumers (Enforcement Discretion)
 - (P) Terminating Biden's Environmental Justice and DEI arms of the agency (EJ/DEI)
 - (Q) Ending so-called "Good Neighbor Plan" which the Biden-Harris Administration used to expand federal rules to more states and sectors beyond the program's traditional focus and led to the rejection of nearly all State Implementation Plans
 - (R) Working with states and tribes to resolve massive backlog with State Implementation Plans and Tribal Implementation Plans that the Biden-Harris Administration refused to resolve (SIPs/TIPs)
 - (S) Reconsideration of exceptional events rulemaking to work with states to prioritize the allowance of prescribed fires within State and Tribal Implementation Plans (Exceptional Events)
 - (T) Reconstituting Science Advisory Board and Clean Air Scientific Advisory Committee (SAB/CASAC)
 - (U) Prioritizing coal ash program to expedite state permit reviews and update coal ash regulations (CCR Rule)
 - (V) Utilizing enforcement discretion to further North Carolina's recovery from Hurricane Helene
- b. *Weekly Update:* No Update
- c. *Interim Action Items and Targeted Completion Dates:*
- (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.

- d. POC: Travis Voyles (AO)
3. Eliminate all permitting delays. For example, take advantage of general permitting and permit by rule. And for essential projects, take advantage of all authorities, including emergency authorities, to expedite the permitting process. (No. 120)
- a. *Due:* Immediately
 - (i) Feb. 19 – EPA submitted a report to OMB, CEQ, Interior, and Commerce, and while EPA is still conducting a review of potential actions to facilitate the consultation process under the Endangered Species Act with emergency treatment, EPA has identified other potential short term, immediate solution for emergency authorities relevant to share with these agencies.
 - (ii) Day 1-Ongoing – To date, where EPA has a role in the overall authorization/approval of energy infrastructure projects, the Agency in our oversight role (i.e. NEPA/EIS reviews) has limited our involvement to statutory-related input and ensured expedited/limited reviews. Additionally, where EPA has had a contributing permitting approval role, the Agency has expedited the consideration of those permits.

EPA has worked with DOJ to reevaluate all ongoing litigation related to enforcement actions or delegated permitting programs impacting existing permitting and operations.

- (1) An example of this is the recent news of DOJ dismissed a lawsuit against Denka Performance Elastomer LLC (Denka) concerning its manufacturing facility in LaPlace, LA, which produces neoprene, a synthetic rubber essential for products like orthopedic braces, wetsuits and automotive components. The lawsuit, originally filed by the Biden Administration in 2023, relied on the Clean Air Act's rarely invoked "Emergency Powers" provision (42 U.S.C. § 7603). That statute authorizes EPA to seek immediate restraints on pollution sources presenting "an imminent and substantial endangerment" to public health or the environment. In an effort to satisfy this standard, the Biden-era complaint alleged a marginally increased risk of harm after prolonged exposure. The complaint did not allege that emissions from Denka's LaPlace plant violated any regulatory air quality standard, but the Biden-EPA framed the case as part of its "ongoing effort to advance environmental justice in overburdened communities."

As EPA continues to identify other potential immediate solutions for strategic actions to suspend, revise, or rescind the relevant agency

actions as expeditiously as possible, the Agency will explore the utilization of the following authorities to provide emergency relief to facilitate the Nation's energy supply:

- (2) Clean Water Act - No emergency authorities identified/available (i.e. CWA § 401)
- (3) Clean Air Act -
 - (A) Sec. 112(i)(4) [clearest and broadest] - "The President may exempt any stationary source from compliance with any standard or limitation under this section for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years. The President shall report to Congress with respect to each exemption (or extension thereof) made under this paragraph."
 - (B) Sec. 110(f) [permitting] - Provides for exemptions limited to 4 months and focused on fuel burning stationary sources providing energy for residential dwellings or related to high levels of unemployment in an energy emergency.
 - (C) Sec. 118 - up to 1 year, but only applies to federal facilities

b. *Weekly Update:*

- (i) March 20 -- To date, EPA has not received any new permit applications for major energy infrastructure projects under our primary permitting programs.
 - (1) EPA Team (AO, Water, Air) met with DPC staff (Theo Merkel) to discuss permitting and emergency authorities around pharmaceutical manufacturing facilities, with similar identified emergency authorities for National Emission Standards for Hazardous Air Pollutants (NESHAP) as discussed above.

c. *Interim Action Items and Targeted Completion Dates:*

- (i) Ongoing/TBD - As EPA identifies the correct approach for strategic actions to utilize permitting or emergency authorities for the

relevant agency actions as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB

(ii) Ongoing/TBD - EPA is implementing increased cooperative federalism principles and focus through permit program delegation/assumption/primacy.

(1) Reviewing EPA Standards/Guidance - Although EPA directly issues some permits, many jurisdictions (states, territories, tribal nations and municipalities) are approved to directly implement federal environmental permit programs on EPA's behalf. Where EPA has approved the delegation of permitting and regulatory responsibilities to states, EPA is returning to a focused oversight role, reducing the burden placed on these jurisdictions and states to implement their programs in an efficient manner. In these situations, EPA is responsible for developing standards and guidance for permit programs. EPA is reviewing and updating (as needed) these standards and guidance for permit programs to ensure jurisdictions do not overstep their authorities under the authorizing statutes.

(2) Focus Areas/Programs to Increase Delegation/Assumption/Primacy - While delegation is common in a subset of environmental statutory programs, EPA is increasing the opportunities for states to assume additional programs, completely removing the need for full federal programs and involvement beyond oversight. EPA is focusing on permitting programs (like Underground Injection Control (UIC) permitting) that have a direct impact on future energy projects.

d. POC: Travis Voyles (AO), Aaron Szabo (OAR), Jess Kramer (OW), Jeff Hall (OECA)

4. Ensure all agency guidance on greenhouse gas emissions are consistent with OMB Circular A-4 of September 17, 2003 (Regulatory Analysis), including domestic versus international effects, appropriate discount rates, and the value of emissions changes resulting from agency actions. Engage rule-making and regulatory or policy processes as necessary. (No. 124)

a. Due: Immediately (this is a gating item for another task assigned to EPA, which is due March 21)

(i) Day 1-Ongoing - EPA completed a review of all agency guidance to ensure consistency with OMB Circular A-4 and working to incorporate into all ongoing regulatory/policy reconsiderations and updates. EPA and NEDC staff have discussed two potential paths

forward on the reconsideration of the social cost of greenhouse gases (SC-GHG).

- (1) Options – (1) Return to previous valuation used under last Trump Administration; or (2) completely rescind utilization of consistent valuation across federal agencies and return obligation to incorporate application of GHG emission impacts to individual agencies in their applicable cost-benefit analyses.
 - b. *Weekly Update*: Need NEDC/DCoS feedback on SC-GHG considerations.
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) TBD – Announcing path forward on SC-GHG and working with other federal agencies on implementation of impacted actions and regulatory/policy reconsiderations
 - d. POC: Travis Voyles (AO)
5. Pause disbursement of funds appropriated through IRA of 2022 and IIJA unless APEP and OMB approve, including funds for EV charging stations through the National Electric Vehicle Infrastructure Formula Program and the Charging and Fueling Infrastructure Discretionary Grant Program, subject to current and pending decisions. (No. 126)
- a. *Due*: Immediately
 - (i) Day 1-Ongoing – EPA immediately initiated a funding freeze and review of all IRA/IIJA funding programs. In compliance with relevant court orders, EPA has released IIJA/IRA awarded and obligated funding.
 - (1) Feb. 6 – EPA initiated a review (outside of any EO/OMB directive) of all IIJA/IRA funding programs, which resulted in some additional pauses of program implementation, but focused on clearing programs from an implementation, oversight, and funding source standpoint.
 - (2) Current Status –
 - (A) Funding in 2 of the 3 programs (\$20B) within the Greenhouse Gas Reduction Fund have been frozen at an outside financial agent. On March 18, EPA cancelled all of the existing grants and pending ongoing litigation is in the process of getting the remaining funding returned to the US Gov't.

- (B) All environmental justice related grant programs (funded by IRA, IIJA, and base appropriations) have been halted and all active grants have been cancelled (totalling nearly \$2B).
 - (C) All IRA-funded grant programs have halted new awards, but awarded and obligated funding is continuing to flow.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency funding programs and policies as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.
 - d. *POC:* Travis Voyles (AO), Paige Hanson (OCFO)
 - 6. Review and adjust all processes and policies for grants, loans, contracts, and other financial disbursements for consistency with the policies of this order. (No. 126.1)
 - a. *Due:* Immediately
 - (i) Day 1-Ongoing – Working with DOGE, EPA a review process of all grants and contracts to ensure compliance, which has resulted in over \$2B in cancellations and more anticipated.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions and funding policies as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.
 - d. *POC:* Travis Voyles (AO), Paige Hanson (OCFO)
 - 7. Identify, revise, and rescind actions unduly burdening domestic mining and processing of non-fuel minerals. (No. 132)
 - a. *Due:* Immediately
 - (i) Feb. 19 – More broadly, but directly impacting mining and processing, EPA submitted a report to OMB and CEQ detailing relevant agency actions to identify potential changes and agency actions to facilitate the Nation’s energy supply. While EPA is still

coordinating with Army Corps on potential actions to facilitate direct Corps authority to act with emergency treatment, EPA has identified a short term, immediate solution, paired with a targeted revision of the current 2023 definition of “Waters of the United States” to conform with *Sackett v. EPA*, 598 U.S. 651 (2023).

- (ii) March 12 – EPA and the Army Corps announced a joint memorandum issuing guidance to field staff on implementation of “continuous surface connection” consistent with the U.S. Supreme Court’s May 25, 2023, decision in the case of *Sackett v. EPA*. The agencies also announced a *Federal Register* notice publicizing a series of six listening sessions and a 30-day recommendations docket to solicit feedback on key aspects of the definition of “waters of the United States.”
 - b. *Weekly Update*: No Update
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing - *Federal Register* notice publicizing a series of six listening sessions and a 30-day recommendations docket to solicit feedback on key aspects of the definition of “waters of the United States.”
 - d. POC: Jess Kramer (OW), Travis Voyles (AO)
8. Issue guidance to address harms and inadequacies of “social cost of carbon” calculations, including consideration of eliminating it from any federal permitting or regulatory decision. (No. 123)
- a. *Due*: March 21, 2025
 - (i) Day 1-Ongoing – EPA completed a review of all agency guidance to ensure consistency with OMB Circular A-4 and working to incorporate into all ongoing regulatory/policy reconsiderations and updates. EPA and NEDC staff have discussed two potential paths forward on the reconsideration of the social cost of greenhouse gases (SC-GHGs).
 - (1) Options – (1) Return to previous valuation used under last Trump Administration; or (2) completely rescind utilization of consistent valuation across federal agencies and return obligation to incorporate application of GHG emission impacts to individual agencies in their applicable cost-benefit analyses.
 - b. *Weekly Update*: Need NEDC/DCoS feedback on SC-GHG considerations.
 - c. *Interim Action Items and Targeted Completion Dates*:

- (i) TBD – Announcing path forward on SC-GHG and working with other federal agencies on implementation of impacted actions and regulatory/policy reconsiderations
 - d. POC: Travis Voyles (AO)
 9. Submit a report to NEC and OMB detailing findings and recommendations for aligning appropriated funds related to IRA and IIJA with the policies of this order. (No. 127)
 - a. Due: April 20, 2025
 - b. Weekly Update: No Update
 - c. Interim Action Items and Targeted Completion Dates:
 - (i) Ongoing – EPA is identifying funding programs into three primary categories and will provide the comprehensive report to NEC/OMB by April 20. EPA has continued to provide ongoing feedback to OMB as we have made individual decisions on programs and funding.
 - (1) (1) programs to continue to implement as is; (2) programs that require updated implementation guidance or changes to implementation; and (3) programs that are not in alignment with Administration priorities and should not continue.
 - d. POC: Travis Voyles (AO), Paige Hanson (OCFO)
 10. Identify and eliminate all environmental considerations not required by legislation and use the most robust non-arbitrary and non-ideological methodologies for permitting adjudications and regulatory processes. (No. 122)
 - a. Due: Ongoing
 - b. Weekly Update: No Update
 - c. Interim Action Items and Targeted Completion Dates:
 - (i) Ongoing comprehensive review and related decisions implemented
 - d. POC: Travis Voyles (AO)
- B. [HYPERLINK "<https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>"] (January 20, 2025)
1. Consider issuing emergency fuel waivers for year-round sale of E15 gasoline. (No. 167)
 - a. Due: Immediately

- (i) Feb. 21 – EPA announced the agency’s decision to uphold the current April 28, 2025, implementation date to provide parity for E15 and E10 in Midwestern states (IL, IA, MN, MO, NE, OH, SD, WI). This action provides regulatory certainty for fuel suppliers and expands consumer access to E15 year-round in these states. At the same time, in recognition of concerns raised by some regarding fuel supply transitions, EPA intends to consider granting requests for a one-year delay for those states seeking additional time for compliance. Along with this, EPA will still have the ability to issue emergency fuel waivers to allow the year-round sale of E15.
 - (1) [[HYPERLINK "https://www.epa.gov/newsreleases/ahead-summer-driving-season-epa-allows-expanded-e15-access-midwest-states-year-round"](https://www.epa.gov/newsreleases/ahead-summer-driving-season-epa-allows-expanded-e15-access-midwest-states-year-round)]
 - b. *Weekly Update*: No Update
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing – EPA is assessing the need to issue emergency fuel waivers to allow the year-round sale of E15.
 - d. POC: Aaron Szabo (OAR), Travis Voyles (AO)
- 2. Status report on actions taken and planned actions to promote energy use consistent with this order. (No. 169)
 - a. *Due*: March 21, 2025 (last report submitted [Insert Date])
 - b. *Weekly Update*: No Update
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing updates provided weekly
 - d. POC: Travis Voyles (AO)
- C. [[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/03/immediate-expansion-of-american-timber-production/"](https://www.whitehouse.gov/presidential-actions/2025/03/immediate-expansion-of-american-timber-production/)] (March 1, 2025)
 - 1. Eliminate all undue delays in permitting processes related to timber production, and take all steps to suspend, revise, or rescind all existing agency actions that impose an undue burden on timber production. (No. 472)
 - a. *Due*: Immediately and ongoing
 - (i) Day 1-Ongoing – To date, where EPA has a role in the overall authorization/approval of timber related activities or infrastructure

projects, the Agency in our oversight role (i.e. NEPA/EIS reviews) has limited our involvement to statutory-related input and ensured expedited/limited reviews. Additionally, where EPA has had a contributing permitting approval role, the Agency has expedited the consideration of those permits.

- (1) EPA also may have permitting involvement in timber-related processing facilities under the Clean Air Act and Clean Water Act. As detailed on our general approach to permitting.
 - (ii) March 12 - EPA took action to decrease the risk of future catastrophic wildfires by revisiting the Obama-Biden Administration's Exceptional Events rulemaking and prioritizing the allowance of prescribed fires within State and Tribal Implementation Plans (SIPs/TIPs). When EPA reviews SIPs and TIPs, EPA will work to ensure states and other entities that work within those states can use prescribed fires to properly manage their forests, without being unfairly penalized when it comes to assessing their air quality. EPA will convene meetings with state and tribal air agencies and state, local, and federal forest managers to evaluate ways to ease unnecessary burdens that prevent prescribed fires. These unnecessary burdens are related to, but not limited to, Exceptional Events, Regional Haze, Interstate Transport, and International Transport.
 - (1) [HYPERLINK
"https://www.epa.gov/newsreleases/administrator-zeldin-takes-action-decrease-risk-future-catastrophic-wildfires"]
 - b. *Weekly Update*: No Update
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing/TBD - As projects are identified, EPA will evaluate any potential role we would have and determine necessary actions.
 - d. POC: Travis Voyles (AO), Jess Kramer (OW), Aaron Szabo (OAR)
2. Maximize use of ESA emergency consultation regulations to facilitate timber production. (No. 473)
- a. *Due*: Ongoing
 - (i) Feb. 19-Ongoing - EPA submitted a report to OMB, CEQ, Interior, and Commerce, and while EPA is still conducting a review of potential actions to facilitate the consultation process under the Endangered Species Act with emergency treatment, EPA has identified other potential short term, immediate solution for emergency authorities relevant to share with these agencies.

- b. *Weekly Update*: No Update
- c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing/TBD – As projects are identified, EPA will evaluate any potential role we would have and determine necessary actions.
- d. POC: Travis Voyles (AO), Jess Kramer (OW), Aaron Szabo (OAR)

IV. Progress Updates on Specific Deregulatory Matters (excluding those covered above)

- A. See attached *EPA Action Tracker* for full list of significant actions, including interim actions and targeted milestones for deregulatory actions.
 - 1. *Weekly Update*: No Update
 - 2. POC: Travis Voyles (AO)

V. Major Project Permitting Status (excluding those covered above)

A. Constitution Pipeline (PA/NY)

- 1. *Interim Action Items and Targeted Completion Dates*:
 - a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY on 401 certification.
- 2. *Weekly Update*: No Update
- 3. POC: Travis Voyles (AO), Jess Kramer (OW)

B. Enbridge Line 5 Project (WI/MI)

- 1. *Interim Action Items and Targeted Completion Dates*:
 - a. Reevaluating Biden EPA's finding under CWA that project may have "substantial and unacceptable" impacts, which was used throughout permitting/review process.
- 2. *Weekly Update*: No Update
- 3. POC: Travis Voyles (AO), Jess Kramer (OW)

C. NESE Pipeline (PA/NY/NJ)

- 1. *Interim Action Items and Targeted Completion Dates*:

- a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY/NJ on 401 certification.
 2. *Weekly Update*: No Update
 3. POC: Travis Voyles (AO), Jess Kramer (OW)
- D. *Northern Access Pipeline* (PA/NY)
1. *Interim Action Items and Targeted Completion Dates*:
 - a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY on 401 certification.
 2. *Weekly Update*: No Update
 3. POC: Travis Voyles (AO), Jess Kramer (OW)
- E. *Energy Transfer* – U.S. Gov’t Debarment Proceedings
1. *Interim Action Items and Targeted Completion Dates*:
 - a. March 10 – EPA dismissed proposed debarment proceedings from Biden Administration and then PA AG Shapiro state-level criminal CWA violations, ensuring Energy Transfer would be eligible for federal contracting opportunities (i.e. Trans-Panama Gateway Pipeline project).
 2. *Weekly Update*: No Update
 3. POC: Travis Voyles (AO)

Message

From: Voyles, Travis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B106CBC235C47EFA550A831B623BF28-F26BBFA8-54]
Sent: 3/21/2025 4:16:02 PM
To: Kramer, Jessica L. [kramer.jessical@epa.gov]; Szabo, Aaron [Szabo.Aaron@epa.gov]
Subject: NEDC/DCoS Update Call
Attachments: Weekly Update to NEDC - EPA - Week of March 17_2025-03-21.docx

Here is the document they have to go off of...who knows how this will go.

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Travis Voyles
Assistant Deputy Administrator
Office of the Administrator
U.S. Environmental Protection Agency
C: (202) 787-0595

ENVIRONMENTAL PROTECTION AGENCY

Weekly Update to the National Energy Dominance Council
Week of March 16, 2025

I. Most Significant Achievements (Permitting and/or Deregulatory)

- A. *EPA Announced Greatest Day in Deregulation History* – Last week, EPA announced the agency will undertake 31 historic actions in the greatest and most consequential day of deregulation in U.S. history, to advance President Trump’s Day One executive orders and Power the Great American Comeback. These historic actions will roll back trillions in regulatory costs and hidden “taxes” on U.S. families. As a result of these announcements, the cost of living for American families will decrease. It will be more affordable to purchase a car, heat homes, and operate a business. It will be more affordable to bring manufacturing into local communities while individuals widely benefit from the tangible economic impacts.
- B. *Clarity for Construction Projects under “Waters of the US”* - EPA and Army Corps of Engineers announced an expedited review the definition of “waters of the United States” to provide a revised definition follows the law, and guidance to those in the field implementing the Biden-era rules to immediately change course to be consistent with the U.S. Supreme Court’s decision in Sackett. This immediate action will provide relief to developers involved in construction projects from housing to mining and it reduces red-tape, cuts overall permitting costs, and lowers the cost of doing business in communities across the country while protecting the nation’s navigable waters from pollution.
- C. *Streamlined Underground Injection Control (UIC) Permitting* – EPA is expediting critical permitting reform and getting decision-making out of the hands of DC and into the states to support energy and related water projects that incorporate underground injection wells, either for resource extraction or waste storage. EPA launched an internal task force to streamline the process to approve state programs to get EPA completely out of permitting. With new applications for Texas and ongoing application for Arizona, the Task Force will utilize timing targets to expedite future EPA reviews and approvals for all the types of UIC state primacy reviews and permitting. Streamlining UIC permits means faster energy development, creating good-paying jobs, and ensuring affordable energy for businesses and families.

II. Upcoming Public Announcements

- A. Week of March 24 – No Energy/Cost of Living-Related Announcements Anticipated
 - 1. POC: Travis Voyles (AO), Molly Vaseliou (OPA)

III. EO Tasks

A. [HYPERLINK "<https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>"] (January 20, 2025)

1. Submit report to OMB that identifies whether and how enforcement discretion and regulations can advance American energy. (No. 129)

a. *Due:* February 19, 2025

(i) Feb. 19 – EPA has submitted a report to OMB detailing directed a shift in the EPA Office of Enforcement and Compliance Assurance (OECA) from heavy-handed enforcement, to a compliance model and working more collaboratively with states and within the EPA universe of regional and headquarters/national program offices. EPA has also been working as part of this process to assess whether enforcement discretion of authorities and regulations can be utilized. While EPA’s assessment of these authorities is still ongoing, the following issue/policy areas have been identified as proprieties for applying identified enforcement discretion:

(1) Oil and gas regulations (OOOOa-c)

(2) Emission guidelines for EGUs

(3) National Emission Standards for Hazardous Air Pollutants (NESHAP) (i.e. benzene)

(4) Data center and other uses of diesel generators for emergency use

(5) Tailpipe vehicle regulations

(6) Coal ash residual storage requirements

(ii) Feb 12 – EPA announced updated enforcement discretion to allow the agency to better focus on its core mission and Powering the Great American Comeback. Specifically, he announced that EPA will immediately revise National Enforcement and Compliance Initiatives to ensure that enforcement does not discriminate based on race and socioeconomic status (as it has under environmental justice initiatives) or shut down energy production and that it focuses on the most pressing health and safety issues. This focus on EPA’s established mission will also provide predictability as EPA considers changes to regulations, thereby lowering costs for Americans and relieving the economy of potentially unnecessary bureaucratic burdens.

(1) [HYPERLINK
 "https://www.epa.gov/system/files/documents/2025-03/ImplementingNECConsistentlyWithEOsandAgencyPriorities.pdf"]

(2) [HYPERLINK
 "https://www.epa.gov/newsreleases/administrator-zeldindirects-enforcement-resources-align-executive-orders-and-epas"]

b. *Weekly Update*: No Update

c. *Interim Action Items and Targeted Completion Dates*:

(i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will deploy enforcement discretion to ensure the transition to a compliance model with appropriate regulations. As any enforcement discretion is deployed, we will provide updates to NEDC/NEC/OMB.

d. *POC*: Travis Voyles (AO), Jeff Hall (OECA)

2. Review and revise all agency actions burdening domestic energy. (No. 115)

a. *Due*: Immediately

(i) Day 1-Ongoing – See attached *EPA Action Tracker* for full list of significant actions, including interim actions and targeted milestones for deregulatory actions

(ii) March 12 – EPA announced the agency will undertake 31 historic actions in the greatest and most consequential day of deregulation in U.S. history, to advance President Trump’s Day One executive orders and Power the Great American Comeback. These historic actions will roll back trillions in regulatory costs and hidden “taxes” on U.S. families. As a result of these announcements, the cost of living for American families will decrease. It will be more affordable to purchase a car, heat homes, and operate a business. It will be more affordable to bring manufacturing into local communities while individuals widely benefit from the tangible economic impacts. ([HYPERLINK "https://www.epa.gov/newsreleases/epa-launches-biggest-deregulatory-action-us-history"])

(A) Reconsideration of regulations on power plants (Clean Power Plan 2.0)

(B) Reconsideration of regulations throttling the oil and gas industry (OOOO b/c)

- (C) Reconsideration of Mercury and Air Toxics Standards that improperly targeted coal-fired power plants (MATS)
- (D) Reconsideration of mandatory Greenhouse Gas Reporting Program that imposed significant costs on the American energy supply (GHG Reporting Program)
- (E) Reconsideration of limitations, guidelines and standards (ELG) for the Steam Electric Power Generating Industry to ensure low-cost electricity while protecting water resources (Steam Electric ELG)
- (F) Reconsideration of wastewater regulations for oil and gas development to help unleash American energy (Oil and Gas ELG)
- (G) Reconsideration of Biden-Harris Administration Risk Management Program rule that made America's oil and natural gas refineries and chemical facilities less safe (Risk Management Program Rule)
- (H) Reconsideration of light-duty, medium-duty, and heavy-duty vehicle regulations that provided the foundation for the Biden-Harris electric vehicle mandate (Car GHG Rules)
- (I) Reconsideration of the 2009 Endangerment Finding and regulations and actions that rely on that Finding (Endangerment Finding)
- (J) Reconsideration of technology transition rule that forces companies to use certain technologies that increased costs on food at grocery stores and semiconductor manufacturing (Technology Transition Rule)
- (K) Reconsideration of Particulate Matter National Ambient Air Quality Standards that shut down opportunities for American manufacturing and small businesses (PM 2.5 NAAQS)
- (L) Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs)

- (M) Restructuring the Regional Haze Program that threatened the supply of affordable energy for American families (Regional Haze)
 - (N) Overhauling Biden-Harris Administration's "Social Cost of Carbon"
 - (O) Redirecting enforcement resources to EPA's core mission to relieve the economy of unnecessary bureaucratic burdens that drive up costs for American consumers (Enforcement Discretion)
 - (P) Terminating Biden's Environmental Justice and DEI arms of the agency (EJ/DEI)
 - (Q) Ending so-called "Good Neighbor Plan" which the Biden-Harris Administration used to expand federal rules to more states and sectors beyond the program's traditional focus and led to the rejection of nearly all State Implementation Plans
 - (R) Working with states and tribes to resolve massive backlog with State Implementation Plans and Tribal Implementation Plans that the Biden-Harris Administration refused to resolve (SIPs/TIPs)
 - (S) Reconsideration of exceptional events rulemaking to work with states to prioritize the allowance of prescribed fires within State and Tribal Implementation Plans (Exceptional Events)
 - (T) Reconstituting Science Advisory Board and Clean Air Scientific Advisory Committee (SAB/CASAC)
 - (U) Prioritizing coal ash program to expedite state permit reviews and update coal ash regulations (CCR Rule)
 - (V) Utilizing enforcement discretion to further North Carolina's recovery from Hurricane Helene
- b. *Weekly Update:* No Update
- c. *Interim Action Items and Targeted Completion Dates:*
- (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.

- d. POC: Travis Voyles (AO)
- 3. Eliminate all permitting delays. For example, take advantage of general permitting and permit by rule. And for essential projects, take advantage of all authorities, including emergency authorities, to expedite the permitting process. (No. 120)
 - a. *Due:* Immediately
 - (i) Feb. 19 – EPA submitted a report to OMB, CEQ, Interior, and Commerce, and while EPA is still conducting a review of potential actions to facilitate the consultation process under the Endangered Species Act with emergency treatment, EPA has identified other potential short term, immediate solution for emergency authorities relevant to share with these agencies.
 - (ii) Day 1-Ongoing – To date, where EPA has a role in the overall authorization/approval of energy infrastructure projects, the Agency in our oversight role (i.e. NEPA/EIS reviews) has limited our involvement to statutory-related input and ensured expedited/limited reviews. Additionally, where EPA has had a contributing permitting approval role, the Agency has expedited the consideration of those permits.

EPA has worked with DOJ to reevaluate all ongoing litigation related to enforcement actions or delegated permitting programs impacting existing permitting and operations.

- (1) An example of this is the recent news of DOJ dismissed a lawsuit against Denka Performance Elastomer LLC (Denka) concerning its manufacturing facility in LaPlace, LA, which produces neoprene, a synthetic rubber essential for products like orthopedic braces, wetsuits and automotive components. The lawsuit, originally filed by the Biden Administration in 2023, relied on the Clean Air Act's rarely invoked "Emergency Powers" provision (42 U.S.C. § 7603). That statute authorizes EPA to seek immediate restraints on pollution sources presenting "an imminent and substantial endangerment" to public health or the environment. In an effort to satisfy this standard, the Biden-era complaint alleged a marginally increased risk of harm after prolonged exposure. The complaint did not allege that emissions from Denka's LaPlace plant violated any regulatory air quality standard, but the Biden-EPA framed the case as part of its "ongoing effort to advance environmental justice in overburdened communities."

As EPA continues to identify other potential immediate solutions for strategic actions to suspend, revise, or rescind the relevant agency

actions as expeditiously as possible, the Agency will explore the utilization of the following authorities to provide emergency relief to facilitate the Nation's energy supply:

- (2) Clean Water Act - No emergency authorities identified/available (i.e. CWA § 401)
- (3) Clean Air Act -
 - (A) Sec. 112(i)(4) [clearest and broadest] - "The President may exempt any stationary source from compliance with any standard or limitation under this section for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years. The President shall report to Congress with respect to each exemption (or extension thereof) made under this paragraph."
 - (B) Sec. 110(f) [permitting] - Provides for exemptions limited to 4 months and focused on fuel burning stationary sources providing energy for residential dwellings or related to high levels of unemployment in an energy emergency.
 - (C) Sec. 118 - up to 1 year, but only applies to federal facilities

b. *Weekly Update:*

- (i) March 20 -- To date, EPA has not received any new permit applications for major energy infrastructure projects under our primary permitting programs.
 - (1) EPA Team (AO, Water, Air) met with DPC staff (Theo Merkel) to discuss permitting and emergency authorities around pharmaceutical manufacturing facilities, with similar identified emergency authorities for National Emission Standards for Hazardous Air Pollutants (NESHAP) as discussed above.

c. *Interim Action Items and Targeted Completion Dates:*

- (i) Ongoing/TBD - As EPA identifies the correct approach for strategic actions to utilize permitting or emergency authorities for the

relevant agency actions as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB

(ii) Ongoing/TBD - EPA is implementing increased cooperative federalism principles and focus through permit program delegation/assumption/primacy.

(1) Reviewing EPA Standards/Guidance - Although EPA directly issues some permits, many jurisdictions (states, territories, tribal nations and municipalities) are approved to directly implement federal environmental permit programs on EPA's behalf. Where EPA has approved the delegation of permitting and regulatory responsibilities to states, EPA is returning to a focused oversight role, reducing the burden placed on these jurisdictions and states to implement their programs in an efficient manner. In these situations, EPA is responsible for developing standards and guidance for permit programs. EPA is reviewing and updating (as needed) these standards and guidance for permit programs to ensure jurisdictions do not overstep their authorities under the authorizing statutes.

(2) Focus Areas/Programs to Increase Delegation/Assumption/Primacy - While delegation is common in a subset of environmental statutory programs, EPA is increasing the opportunities for states to assume additional programs, completely removing the need for full federal programs and involvement beyond oversight. EPA is focusing on permitting programs (like Underground Injection Control (UIC) permitting) that have a direct impact on future energy projects.

d. POC: Travis Voyles (AO), Aaron Szabo (OAR), Jess Kramer (OW), Jeff Hall (OECA)

4. Ensure all agency guidance on greenhouse gas emissions are consistent with OMB Circular A-4 of September 17, 2003 (Regulatory Analysis), including domestic versus international effects, appropriate discount rates, and the value of emissions changes resulting from agency actions. Engage rule-making and regulatory or policy processes as necessary. (No. 124)

a. Due: Immediately (this is a gating item for another task assigned to EPA, which is due March 21)

(i) Day 1-Ongoing - EPA completed a review of all agency guidance to ensure consistency with OMB Circular A-4 and working to incorporate into all ongoing regulatory/policy reconsiderations and updates. EPA and NEDC staff have discussed two potential paths

forward on the reconsideration of the social cost of greenhouse gases (SC-GHG).

- (1) Options – (1) Return to previous valuation used under last Trump Administration; or (2) completely rescind utilization of consistent valuation across federal agencies and return obligation to incorporate application of GHG emission impacts to individual agencies in their applicable cost-benefit analyses.
 - b. *Weekly Update*: Need NEDC/DCoS feedback on SC-GHG considerations.
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) TBD – Announcing path forward on SC-GHG and working with other federal agencies on implementation of impacted actions and regulatory/policy reconsiderations
 - d. POC: Travis Voyles (AO)
- 5. Pause disbursement of funds appropriated through IRA of 2022 and IIJA unless APEP and OMB approve, including funds for EV charging stations through the National Electric Vehicle Infrastructure Formula Program and the Charging and Fueling Infrastructure Discretionary Grant Program, subject to current and pending decisions. (No. 126)
 - a. *Due*: Immediately
 - (i) Day 1-Ongoing – EPA immediately initiated a funding freeze and review of all IRA/IIJA funding programs. In compliance with relevant court orders, EPA has released IIJA/IRA awarded and obligated funding.
 - (1) Feb. 6 – EPA initiated a review (outside of any EO/OMB directive) of all IIJA/IRA funding programs, which resulted in some additional pauses of program implementation, but focused on clearing programs from an implementation, oversight, and funding source standpoint.
 - (2) Current Status –
 - (A) Funding in 2 of the 3 programs (\$20B) within the Greenhouse Gas Reduction Fund have been frozen at an outside financial agent. On March 18, EPA cancelled all of the existing grants and pending ongoing litigation is in the process of getting the remaining funding returned to the US Gov’t.

- (B) All environmental justice related grant programs (funded by IRA, IIJA, and base appropriations) have been halted and all active grants have been cancelled (totalling nearly \$2B).
 - (C) All IRA-funded grant programs have halted new awards, but awarded and obligated funding is continuing to flow.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency funding programs and policies as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.
 - d. *POC:* Travis Voyles (AO), Paige Hanson (OCFO)
 - 6. Review and adjust all processes and policies for grants, loans, contracts, and other financial disbursements for consistency with the policies of this order. (No. 126.1)
 - a. *Due:* Immediately
 - (i) Day 1-Ongoing – Working with DOGE, EPA a review process of all grants and contracts to ensure compliance, which has resulted in over \$2B in cancellations and more anticipated.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions and funding policies as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.
 - d. *POC:* Travis Voyles (AO), Paige Hanson (OCFO)
 - 7. Identify, revise, and rescind actions unduly burdening domestic mining and processing of non-fuel minerals. (No. 132)
 - a. *Due:* Immediately
 - (i) Feb. 19 – More broadly, but directly impacting mining and processing, EPA submitted a report to OMB and CEQ detailing relevant agency actions to identify potential changes and agency actions to facilitate the Nation’s energy supply. While EPA is still

coordinating with Army Corps on potential actions to facilitate direct Corps authority to act with emergency treatment, EPA has identified a short term, immediate solution, paired with a targeted revision of the current 2023 definition of “Waters of the United States” to conform with *Sackett v. EPA*, 598 U.S. 651 (2023).

- (ii) March 12 – EPA and the Army Corps announced a joint memorandum issuing guidance to field staff on implementation of “continuous surface connection” consistent with the U.S. Supreme Court’s May 25, 2023, decision in the case of *Sackett v. EPA*. The agencies also announced a *Federal Register* notice publicizing a series of six listening sessions and a 30-day recommendations docket to solicit feedback on key aspects of the definition of “waters of the United States.”
 - b. *Weekly Update*: No Update
 - c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing - *Federal Register* notice publicizing a series of six listening sessions and a 30-day recommendations docket to solicit feedback on key aspects of the definition of “waters of the United States.”
 - d. POC: Jess Kramer (OW), Travis Voyles (AO)
8. Issue guidance to address harms and inadequacies of “social cost of carbon” calculations, including consideration of eliminating it from any federal permitting or regulatory decision. (No. 123)
- a. *Due*: March 21, 2025
 - (i) Day 1-Ongoing – EPA completed a review of all agency guidance to ensure consistency with OMB Circular A-4 and working to incorporate into all ongoing regulatory/policy reconsiderations and updates. EPA and NEDC staff have discussed two potential paths forward on the reconsideration of the social cost of greenhouse gases (SC-GHGs).
 - (1) Options – (1) Return to previous valuation used under last Trump Administration; or (2) completely rescind utilization of consistent valuation across federal agencies and return obligation to incorporate application of GHG emission impacts to individual agencies in their applicable cost-benefit analyses.
 - b. *Weekly Update*: Need NEDC/DCoS feedback on SC-GHG considerations.
 - c. *Interim Action Items and Targeted Completion Dates*:

- (i) TBD – Announcing path forward on SC-GHG and working with other federal agencies on implementation of impacted actions and regulatory/policy reconsiderations
 - d. POC: Travis Voyles (AO)
- 9. Submit a report to NEC and OMB detailing findings and recommendations for aligning appropriated funds related to IRA and IIJA with the policies of this order. (No. 127)
 - a. Due: April 20, 2025
 - b. Weekly Update: No Update
 - c. Interim Action Items and Targeted Completion Dates:
 - (i) Ongoing – EPA is identifying funding programs into three primary categories and will provide the comprehensive report to NEC/OMB by April 20. EPA has continued to provide ongoing feedback to OMB as we have made individual decisions on programs and funding.
 - (1) (1) programs to continue to implement as is; (2) programs that require updated implementation guidance or changes to implementation; and (3) programs that are not in alignment with Administration priorities and should not continue.
 - d. POC: Travis Voyles (AO), Paige Hanson (OCFO)
- 10. Identify and eliminate all environmental considerations not required by legislation and use the most robust non-arbitrary and non-ideological methodologies for permitting adjudications and regulatory processes. (No. 122)
 - a. Due: Ongoing
 - b. Weekly Update: No Update
 - c. Interim Action Items and Targeted Completion Dates:
 - (i) Ongoing comprehensive review and related decisions implemented
 - d. POC: Travis Voyles (AO)
- B. [[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/"](https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/)] (January 20, 2025)
 - 1. Consider issuing emergency fuel waivers for year-round sale of E15 gasoline. (No. 167)
 - a. Due: Immediately

- (i) Feb. 21 – EPA announced the agency’s decision to uphold the current April 28, 2025, implementation date to provide parity for E15 and E10 in Midwestern states (IL, IA, MN, MO, NE, OH, SD, WI). This action provides regulatory certainty for fuel suppliers and expands consumer access to E15 year-round in these states. At the same time, in recognition of concerns raised by some regarding fuel supply transitions, EPA intends to consider granting requests for a one-year delay for those states seeking additional time for compliance. Along with this, EPA will still have the ability to issue emergency fuel waivers to allow the year-round sale of E15.
 - (1) [HYPERLINK "https://www.epa.gov/newsreleases/ahead-summer-driving-season-epa-allows-expanded-e15-access-midwest-states-year-round"]
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing – EPA is assessing the need to issue emergency fuel waivers to allow the year-round sale of E15.
 - d. POC: Aaron Szabo (OAR), Travis Voyles (AO)
 - 2. Status report on actions taken and planned actions to promote energy use consistent with this order. (No. 169)
 - a. *Due:* March 21, 2025 (last report submitted [Insert Date])
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing updates provided weekly
 - d. POC: Travis Voyles (AO)
- C. [HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/03/immediate-expansion-of-american-timber-production/"] (March 1, 2025)
- 1. Eliminate all undue delays in permitting processes related to timber production, and take all steps to suspend, revise, or rescind all existing agency actions that impose an undue burden on timber production. (No. 472)
 - a. *Due:* Immediately and ongoing
 - (i) Day 1-Ongoing – To date, where EPA has a role in the overall authorization/approval of timber related activities or infrastructure

projects, the Agency in our oversight role (i.e. NEPA/EIS reviews) has limited our involvement to statutory-related input and ensured expedited/limited reviews. Additionally, where EPA has had a contributing permitting approval role, the Agency has expedited the consideration of those permits.

- (1) EPA also may have permitting involvement in timber-related processing facilities under the Clean Air Act and Clean Water Act. As detailed on our general approach to permitting.
 - (ii) March 12 - EPA took action to decrease the risk of future catastrophic wildfires by revisiting the Obama-Biden Administration's Exceptional Events rulemaking and prioritizing the allowance of prescribed fires within State and Tribal Implementation Plans (SIPs/TIPs). When EPA reviews SIPs and TIPs, EPA will work to ensure states and other entities that work within those states can use prescribed fires to properly manage their forests, without being unfairly penalized when it comes to assessing their air quality. EPA will convene meetings with state and tribal air agencies and state, local, and federal forest managers to evaluate ways to ease unnecessary burdens that prevent prescribed fires. These unnecessary burdens are related to, but not limited to, Exceptional Events, Regional Haze, Interstate Transport, and International Transport.
 - (1) [HYPERLINK
"https://www.epa.gov/newsreleases/administrator-zeldin-takes-action-decrease-risk-future-catastrophic-wildfires"]
- b. *Weekly Update*: No Update
- c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing/TBD - As projects are identified, EPA will evaluate any potential role we would have and determine necessary actions.
- d. POC: Travis Voyles (AO), Jess Kramer (OW), Aaron Szabo (OAR)
- 2. Maximize use of ESA emergency consultation regulations to facilitate timber production. (No. 473)
 - a. *Due*: Ongoing
 - (i) Feb. 19-Ongoing - EPA submitted a report to OMB, CEQ, Interior, and Commerce, and while EPA is still conducting a review of potential actions to facilitate the consultation process under the Endangered Species Act with emergency treatment, EPA has identified other potential short term, immediate solution for emergency authorities relevant to share with these agencies.

- b. *Weekly Update*: No Update
- c. *Interim Action Items and Targeted Completion Dates*:
 - (i) Ongoing/TBD – As projects are identified, EPA will evaluate any potential role we would have and determine necessary actions.
- d. POC: Travis Voyles (AO), Jess Kramer (OW), Aaron Szabo (OAR)

IV. Progress Updates on Specific Deregulatory Matters (excluding those covered above)

- A. See attached *EPA Action Tracker* for full list of significant actions, including interim actions and targeted milestones for deregulatory actions.
 - 1. *Weekly Update*: No Update
 - 2. POC: Travis Voyles (AO)

V. Major Project Permitting Status (excluding those covered above)

A. Constitution Pipeline (PA/NY)

- 1. *Interim Action Items and Targeted Completion Dates*:
 - a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY on 401 certification.
- 2. *Weekly Update*: No Update
- 3. POC: Travis Voyles (AO), Jess Kramer (OW)

B. Enbridge Line 5 Project (WI/MI)

- 1. *Interim Action Items and Targeted Completion Dates*:
 - a. Reevaluating Biden EPA's finding under CWA that project may have "substantial and unacceptable" impacts, which was used throughout permitting/review process.
- 2. *Weekly Update*: No Update
- 3. POC: Travis Voyles (AO), Jess Kramer (OW)

C. NESE Pipeline (PA/NY/NJ)

- 1. *Interim Action Items and Targeted Completion Dates*:

- a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY/NJ on 401 certification.
 2. *Weekly Update*: No Update
 3. POC: Travis Voyles (AO), Jess Kramer (OW)
- D. *Northern Access Pipeline* (PA/NY)
1. *Interim Action Items and Targeted Completion Dates*:
 - a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY on 401 certification.
 2. *Weekly Update*: No Update
 3. POC: Travis Voyles (AO), Jess Kramer (OW)
- E. *Energy Transfer* – U.S. Gov’t Debarment Proceedings
1. *Interim Action Items and Targeted Completion Dates*:
 - a. March 10 – EPA dismissed proposed debarment proceedings from Biden Administration and then PA AG Shapiro state-level criminal CWA violations, ensuring Energy Transfer would be eligible for federal contracting opportunities (i.e. Trans-Panama Gateway Pipeline project).
 2. *Weekly Update*: No Update
 3. POC: Travis Voyles (AO)

This document is produced in native format.

Original file name:

Grant Termination List_Mar22.xlsx

Message

From: Voyles, Travis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B106CBC235C47EFA550A831B623BF28-F26BBFA8-54]
Sent: 3/24/2025 9:54:36 PM
To: Talmage, Sarah [Talmage.Sarah@epa.gov]
Subject: FW: EPA Questions
Attachments: AK Time Sensitive Projects (EPA).docx; EPA Funding.xlsx

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Travis Voyles
C: (202) 787-0595

From: Mencher, Daniel (Appropriations) <Daniel_Mencher@appro.senate.gov>
Sent: Sunday, February 9, 2025 2:25 PM
To: Voyles, Travis <voyles.travis@epa.gov>
Cc: Hanson, Paige (Catherine) <hanson.catherine@epa.gov>
Subject: RE: EPA Questions

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Travis – Thank you for the chat this am. I appreciate you taking some time out of your Sunday to walk me through all the moving parts. As discussed, I am attaching a list of AK projects that we have heard are still on pause. If you could let me know the status and work to get the funding unfrozen, that would be much appreciated. I have also attached a spreadsheet that I think might be helpful for me to fully understand the funding freeze, particularly as it relates to the ongoing review you flagged. I am still a little unclear if it is entire programs or onesie, twosie recipients within programs. Assuming it is the latter, could you please ask OCFO to go through and flag which programs are still under review. I have two tabs on the spreadsheet – base funding and IJIA/IRA funding. The base funding follows our CSBA/detailed table in the JES. Hopefully it's not too heavy a lift but please let me know. And if possible, I would love to get this by COB Tuesday/OOB Wednesday. Thank you again for your time. Holler with anything. Daniel

From: Voyles, Travis <voyles.travis@epa.gov>
Sent: Saturday, February 8, 2025 11:52 PM
To: Mencher, Daniel (Appropriations) <Daniel_Mencher@appro.senate.gov>
Cc: Hanson, Paige (Catherine) <hanson.catherine@epa.gov>
Subject: RE: EPA Questions

I am really sorry Daniel—Promise to connect on Monday, or if you want to give me a call on Sunday, I will make sure I answer.


I could talk the following times on Monday, just let me know what works best:

8-8:30
10-10:30
12:30-1
After 5

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Travis Voyles
C: (202) 787-0595

From: Mencher, Daniel (Appropriations) <Daniel_Mencher@appro.senate.gov>
Sent: Thursday, February 6, 2025 12:19 PM
To: Voyles, Travis <voyles.travis@epa.gov>
Cc: Hanson, Paige (Catherine) <hanson.catherine@epa.gov>
Subject: RE: EPA Questions

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Travis – Realize you’re probably slammed, but shot you a text to see about connecting today. Please give me a call when you have a moment. I’m at 202.815.7595. Thank you. Daniel

From: Voyles, Travis <voyles.travis@epa.gov>
Sent: Wednesday, February 5, 2025 5:49 PM
To: Mencher, Daniel (Appropriations) <Daniel_Mencher@appro.senate.gov>
Cc: Hanson, Paige (Catherine) <hanson.catherine@epa.gov>
Subject: EPA Questions

Hi Daniel—

Adam Tomlinson gave me your contact information and said you may have a question for us or are having trouble getting some answers. Let me know if you want to chat. Include Paige here as well depending on the question I may need her help in getting you an answer.

Thanks,

Travis

--

Travis Voyles
Office of the Administrator
C: (202) 787-0595

Message

From: Voyles, Travis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B106CBC235C47EFA550A831B623BF28-F26BBFA8-54]
Sent: 4/2/2025 4:41:16 PM
To: Underwood, Emily A. EOP/WHO [Emily.A.Underwood@who.eop.gov]; Deeley, Blake R. EOP/WHO [Blake.R.Deeley2@who.eop.gov]
CC: Blakely, Kyser S. EOP/WHO [Kyser.S.Blakely@who.eop.gov]; Doffermyre, William L. EOP/WHO [William.L.Doffermyre@who.eop.gov]
Subject: RE: Weekly Updates
Attachments: Weekly Update to NEDC - EPA - Week of March 30_2025-04-02.docx; EPA Action Tracker_2025-04-02.pdf

Attached is the EPA update. Let us know if you have any questions.

Our meeting is scheduled tomorrow at 3:30p and Jess Kramer (water) and Aaron Szabo (air) will be joining.

--

Travis Voyles
C: (202) 787-0595

From: Voyles, Travis
Sent: Friday, March 28, 2025 2:15 PM
To: Underwood, Emily A. EOP/WHO <Emily.A.Underwood@who.eop.gov>; Deeley, Blake R. EOP/WHO <Blake.R.Deeley2@who.eop.gov>
Cc: Blakely, Kyser S. EOP/WHO <Kyser.S.Blakely@who.eop.gov>; Doffermyre, William L. EOP/WHO <William.L.Doffermyre@who.eop.gov>
Subject: RE: Weekly Updates

I just got an update from the air team today and I haven't updated the timeline in the action tracker (attached) that I provided in the NEC report out earlier this week, but we anticipate having a proposed rule to rescind/remove the carbon pollution standard (main part of Clean Power Plan 2.0) ready to go to OIRA as early as next week. That will put us ahead of the May 2025 timeline for a proposal to be issued since we have been coordinating with OMB/OIRA on expedited review timelines.

The other GHG-related rules/rollbacks all are in the works and we've been discussing with OMB/OIRA prioritized expedited reviews, but the timelines that are in the action tracker are already heavily expedited. Hopefully, more will end up like the carbon pollution standard and get through EPA formulation quicker than expected.

Unfortunately, on the EPA end this past week, most of the updates were internal progress steps and nothing major from an external or key step perspective. I discussed with our team trying to have something public every week moving forward.

--

Travis Voyles
C: (202) 787-0595

From: Underwood, Emily A. EOP/WHO <Emily.A.Underwood@who.eop.gov>
Sent: Friday, March 28, 2025 9:58 AM
To: Voyles, Travis <voyles.travis@epa.gov>; Deeley, Blake R. EOP/WHO <Blake.R.Deeley2@who.eop.gov>
Cc: Blakely, Kyser S. EOP/WHO <Kyser.S.Blakely@who.eop.gov>; Doffermyre, William L. EOP/WHO <William.L.Doffermyre@who.eop.gov>
Subject: RE: Weekly Updates

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Thanks Travis. What's the status on moving forward more swiftly with the GHG rules? Also, does EPA have any more tangible wins from the week they can share, or anything that is new that we've not seen before. Most of these updates feel like continuations of information we've already shared, or things that are yet to be accomplished. The only thing I would be able to include in a "this week's implementation wins" type read-out on my end would be the final rules around E15, but since those were announced some time ago, that won't be very exciting.

From: Voyles, Travis <voyles.travis@epa.gov>
Sent: Thursday, March 27, 2025 2:03 PM
To: Deeley, Blake R. EOP/WHO <Blake.R.Deeley2@who.eop.gov>
Cc: Underwood, Emily A. EOP/WHO <Emily.A.Underwood@who.eop.gov>; Blakely, Kyser S. EOP/WHO <Kyser.S.Blakely@who.eop.gov>; Doffermyre, William L. EOP/WHO <William.L.Doffermyre@who.eop.gov>
Subject: RE: Weekly Updates

Attached is the EPA update.

Jess Kramer (water) and Aaron Szabo (air) will be joining for our check-in. .

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Travis Voyles
C: (202) 787-0595

From: Voyles, Travis
Sent: Friday, March 21, 2025 12:14 PM
To: Deeley, Blake R. EOP/WHO <Blake.R.Deeley2@who.eop.gov>
Cc: Underwood, Emily A. EOP/WHO <Emily.A.Underwood@who.eop.gov>; Blakely, Kyser S. EOP/WHO <Kyser.S.Blakely@who.eop.gov>; Doffermyre, William L. EOP/WHO <William.L.Doffermyre@who.eop.gov>
Subject: RE: Weekly Updates

Attached is the EPA update for the call today. Looking forward to it.

Jess Kramer (water) and Aaron Szabo (air) will be joining and between us three we should be able to speak to anything energy/cost of living related actions at EPA.

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Travis Voyles
Assistant Deputy Administrator
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From: Deeley, Blake R. EOP/WHO <Blake.R.Deeley2@who.eop.gov>
Sent: Monday, March 17, 2025 7:59 PM
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Cc: Underwood, Emily A. EOP/WHO <Emily.A.Underwood@who.eop.gov>; Blakely, Kyser S. EOP/WHO

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Subject: Weekly Updates

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good evening!

Great work so far on all your implementation efforts. Thanks to your hard work, we're making great progress toward achieving the President's agenda and unleashing American energy. Keep it up!

As implementation grows across all agencies, so does the need for NEDC to maintain clear visibility on the numerous achievements, messaging strategies, due outs, specific deregulatory efforts, and other major projects. Therefore, we've developed a comprehensive Weekly Update for each agency. *(See attached for your agency's specific Weekly Update.)*

The Weekly Update is relatively straightforward.

- In Part I (where it says "[Description]"), please describe your agency's most significant achievements from the past week as they relate to permitting and deregulation.
- In Part II (where it says "[Description]"), please describe your agency's upcoming public announcements related to energy projects or policy. If a date has already been set, please include it. Please also indicate the best point of contact.
- Part III lists the EO tasks specific to your agency and the respective due date. For each task, please prove the most recent update (subpart b), the actions your agency plans to take going forward, along with a target completion date (subpart c), and the best point of contact (subpart d).
- In Part IV, please identify and describe specific deregulatory actions your agency is taking or is planning to take, along with the best point of contact. Importantly, the deregulatory actions listed here should not duplicate any deregulatory actions already identified in Part III.
- In Part V, please identify and describe permitting actions your agency is taking or is planning to take with respect to major projects, along with the best point of contact. Importantly, the permitting actions listed here should not duplicate any permitting actions already identified in Part III.

We understand some responses may be duplicative. In that case, you can refer to a prior response instead of copying and pasting the same material again. Please submit (via email) the completed Weekly Update by this **Wednesday (3/19) at 10:00 am ET**. Please include Will, myself, and DCOSP team (Emily and Kyser) on that email. Also, please be on the lookout for agency-specific meetings during the back half of this week to discuss the Weekly Updates, including establishing a consistent schedule for submitting the Weekly Update.

Please let us know if you have any questions. Happy to jump on a call with you to discuss further.

-Blake

Blake Deeley
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ENVIRONMENTAL PROTECTION AGENCY

Weekly Update to the National Energy Dominance Council
Week of March 30, 2025

I. Most Significant Achievements (Permitting and/or Deregulatory)

- A. *Ensuring Permitting Efficiency in Mineral Exploration*** – As part of EPA’s EO 14241 submittal of a comprehensive list of all the current mineral exploration and production projects in environmental review and permitting where EPA has a regulatory role, the Agency also established a weekly reporting system to expedite for these projects where possible and to ensure any potential issues are addressed at a political level immediately. Depending on the project, EPA’s role can include: Clean Air Act (CAA) Section 309 NEPA review of Environmental Impact Statements (EIS) and Environmental Assessments (EA); Clean Water Act (CWA) Section 404 permit review; Safe Drinking Water Act, Underground Injection Control (UIC) permit issuance or aquifer protection decision; or Oversight of CAA, CWA, and UIC permits, as needed. EPA is a reviewing agency for most of these projects. EPA currently has permit applications for five projects that are noted (*in italics*) below. All of these are for existing operations that are seeking to expand and extend the operational life.

Project & Applicant	State	Mineral	EPA Role
<i>Eagle Mine, Lundin Inc. (expansion of existing mine)</i>	MI	nickel	<i>EPA UIC permit exemption by rule</i>
<i>Michigan Potash (existing mine)</i>	MI	potash	<i>EPA UIC permit reissuance</i>
Kennecott, Rio Tinto (expansion of existing mine)	UT	copper tellurium	NEPA review of USACE EIS
<i>Lisbon Valley (expansion of existing mine)</i>	UT	copper	NEPA Review of BLM EIS <i>EPA UIC aquifer exemption decision</i>
<i>Lost Creek ISR Project (expansion of existing mine)</i>	WY	uranium	<i>EPA UIC aquifer exemption decision</i>
<i>Strata Ross Kendrick ISR Project (expansion of existing mine)</i>	WY	uranium	<i>EPA UIC aquifer exemption decision</i>
Libby Exploration Project (proposed mineral exploration)	MT	gold, silver, lead, zinc	NEPA review of USFS EA
Gold Hill (proposed mineral processing operation)	CO	gold	NEPA review of BLM EA
Copper Creek, Faraday Copper Exploration (proposed mineral exploration)	AZ	copper	NEPA Review of BLM EA
Hermosa South 32 (proposed new mine)	AZ	manganese zinc	NEPA review of USFS EIS CAA permit review
Silver Peak, Albemarle (expansion of existing mine)	NV	lithium	Review of BLM EIS
Tonopah Flats (proposed new mine)	NV	lithium	NEPA review of BLM EIS
South Railroad, Orla Mining (proposed new mine)	NV	gold	NEPA Review BLM EIS
Spring Valley Mine, Solidus (proposed new mine)	NV	gold	NEPA Review of BLM EIS
North Bullfrog, Corvus Gold Nevada, Inc. (proposed new mine)	NV	gold	NEPA Review of BLM EIS
Caldwell Canyon, P4 Production, LLC (expansion of existing mine)	ID	phosphate	NEPA Review of BLM EIS
Grassy Mountain, Calico Resources USA (proposed new mine)	OR	gold silver	NEPA Review of BLM EIS

II. Upcoming Public Announcements

A. Week of April 7

1. Potential Coal EO Related Messaging (TBD):

- a. **NESHAP/MATS Presidential Exemption** – On March 12th, as part of EPA’s deregulatory announcement, we notified coal power plants that they could provide information to EPA by the end of March (March 31st) whether they believe that could receive a Presidential exemption from the Biden EPA’s Mercury and Air Toxics Standards (MATS) rule. The Presidential exemption would provide each coal power plant a 2-year exemption from having to install any controls or requirements by the MATS rule while EPA revises the rule and removes the onerous requirement. These exemptions can continue to be renewed, if necessary. This Presidential exemption, which falls under Clean Air Act Section 112(i)(4), has never been used before. It requires the President to find that the technology to install the controls is not available and that it is in the natural security interest to do so.
- b. **DOE s. 202 Enforcement Discretion** –Section 202 of the Federal Power Act grants the DOE authority to order power generation. Such an order waives otherwise applicable environmental requirements under a broad set of circumstances and under certain conditions, including that any such order must be tailored to minimize environmental impacts and limit time of operation to what is necessary to meet the emergency or demand deemed to be in the public interest. An order issued by DOE that creates a conflict with an existing requirement of federal, state, or local environmental law or regulation expires in 90 days but can be renewed in 90 day increments, as appropriate.

2. POC: Travis Voyles (AO), Molly Vaseliou (OPA)

III. EO Tasks

A. [[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/"](https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/)] (January 20, 2025)

1. Submit report to OMB that identifies whether and how enforcement discretion and regulations can advance American energy. (No. 129)

a. Due: February 19, 2025

- (i) Feb. 19 – EPA has submitted a report to OMB detailing directed a shift in the EPA Office of Enforcement and Compliance Assurance (OECA) from heavy-handed enforcement, to a compliance model and working more collaboratively with states and within the EPA universe of regional and headquarters/national program offices.

EPA has also been working as part of this process to assess whether enforcement discretion of authorities and regulations can be utilized. While EPA's assessment of these authorities is still ongoing, certain issue/policy areas have been identified as proprieties for applying identified enforcement discretion.

- (ii) Feb 12 – EPA announced updated enforcement discretion to allow the agency to better focus on its core mission and Powering the Great American Comeback. Specifically, he announced that EPA will immediately revise National Enforcement and Compliance Initiatives to ensure that enforcement does not discriminate based on race and socioeconomic status (as it has under environmental justice initiatives) or shut down energy production and that it focuses on the most pressing health and safety issues. This focus on EPA's established mission will also provide predictability as EPA considers changes to regulations, thereby lowering costs for Americans and relieving the economy of potentially unnecessary bureaucratic burdens.

- (1) [HYPERLINK
"https://www.epa.gov/system/files/documents/2025-03/implementingnecisconsistentlywiththeosandagencypriorities.pdf"]

- (2) [HYPERLINK
"https://www.epa.gov/newsreleases/administrator-zeldindirects-enforcement-resources-align-executive-orders-and-epas"]

- b. March 27 – EPA provided NEDC with details on “enforcement discretion” as it applies to potential use by Dept. of Energy of the Federal Power Act Section 202(c). EPA Initial Review – DOE has the authority to order power generation and the facility will not be in violation of an otherwise applicable environmental obligation.

- (i) Section 202 of the Federal Power Act grants the DOE authority to order power generation. Such an order waives otherwise applicable environmental requirements under a broad set of circumstances and under certain conditions, including that any such order must be tailored to minimize environmental impacts and limit time of operation to what is necessary to meet the emergency or demand deemed to be in the public interest. An order issued by DOE that creates a conflict with an existing requirement of federal, state, or local environmental law or regulation expires in 90 days but can be renewed in 90 day increments, as appropriate.

- c. Weekly Update: No Update

- d. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will deploy enforcement discretion to ensure the transition to a compliance model with appropriate regulations. As any enforcement discretion is deployed, we will provide updates to NEDC/NEC/OMB.
 - e. *POC: Travis Voyles (AO), Jeff Hall (OECA)*
2. Review and revise all agency actions burdening domestic energy. (No. 115)
- a. *Due: Immediately*
 - (i) Day 1-Ongoing – See attached *EPA Action Tracker* for full list of significant actions, including interim actions and targeted milestones for deregulatory actions
 - (ii) March 12 – EPA announced the agency will undertake 31 historic actions in the greatest and most consequential day of deregulation in U.S. history, to advance President Trump’s Day One executive orders and Power the Great American Comeback. These historic actions will roll back trillions in regulatory costs and hidden “taxes” on U.S. families. As a result of these announcements, the cost of living for American families will decrease. It will be more affordable to purchase a car, heat homes, and operate a business. It will be more affordable to bring manufacturing into local communities while individuals widely benefit from the tangible economic impacts. ([[HYPERLINK "https://www.epa.gov/newsreleases/epa-launches-biggest-deregulatory-action-us-history"](https://www.epa.gov/newsreleases/epa-launches-biggest-deregulatory-action-us-history)])
 - (iii) March 24 – *Greenhouse Gas Reporting Rule* - EPA sent to the Federal Register a final rule to extend the reporting deadline under the Greenhouse Gas Reporting Rule for reporting year 2024 data from March 31, 2025, to May 30, 2025. This only changes the reporting deadline for annual greenhouse gas (GHG) reports for reporting year 2024, but is part of a larger reconsidering of the mandatory Greenhouse Gas Reporting Program (GHGRP). Unlike every other mandatory information collection by EPA under the Clean Air Act, the GHGRP is not directly related to a potential regulation nor developed with that intention. The program requires over 8,000 facilities and suppliers in the United States to calculate and submit their emissions reporting annually. It costs hundreds of millions of dollars that could be better used to improve and upgrade environmental controls or other items at these facilities to have a noticeable impact on the improvement of the environment.

b. *Weekly Update: Anticipated Regulatory Actions (move of steps)*

- (i) *Carbon Pollution Standard – EPA anticipates having a proposed rule to rescind/remove the Carbon Pollution Standard (main part of Clean Power Plan 2.0) ready to go to OIRA as early as end of this week, which will put us ahead of the May 2025 timeline for publication initially communicated to NEDC.*

c. *Interim Action Items and Targeted Completion Dates:*

- (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.

d. POC: Travis Voyles (AO)

3. Eliminate all permitting delays. For example, take advantage of general permitting and permit by rule. And for essential projects, take advantage of all authorities, including emergency authorities, to expedite the permitting process. (No. 120)

a. *Due: Immediately*

- (i) Feb. 19 – EPA submitted a report to OMB, CEQ, Interior, and Commerce, and while EPA is still conducting a review of potential actions to facilitate the consultation process under the Endangered Species Act with emergency treatment, EPA has identified other potential short term, immediate solution for emergency authorities relevant to share with these agencies.
- (ii) Day 1-Ongoing – To date, where EPA has a role in the overall authorization/approval of energy infrastructure projects, the Agency in our oversight role (i.e. NEPA/EIS reviews) has limited our involvement to statutory-related input and ensured expedited/limited reviews. Additionally, where EPA has had a contributing permitting approval role, the Agency has expedited the consideration of those permits.

EPA has worked with DOJ to reevaluate all ongoing litigation related to enforcement actions or delegated permitting programs impacting existing permitting and operations.

- (1) An example of this is the recent news of DOJ dismissed a lawsuit against Denka Performance Elastomer LLC (Denka) concerning its manufacturing facility in LaPlace, LA, which produces neoprene, a synthetic rubber essential for products like orthopedic braces, wetsuits and automotive components. The lawsuit, originally filed by the Biden

Administration in 2023, relied on the Clean Air Act's rarely invoked "Emergency Powers" provision (42 U.S.C. § 7603). That statute authorizes EPA to seek immediate restraints on pollution sources presenting "an imminent and substantial endangerment" to public health or the environment. In an effort to satisfy this standard, the Biden-era complaint alleged a marginally increased risk of harm after prolonged exposure. The complaint did not allege that emissions from Denka's LaPlace plant violated any regulatory air quality standard, but the Biden-EPA framed the case as part of its "ongoing effort to advance environmental justice in overburdened communities."

As EPA continues to identify other potential immediate solutions for strategic actions to suspend, revise, or rescind the relevant agency actions as expeditiously as possible, the Agency will explore the utilization of the following authorities to provide emergency relief to facilitate the Nation's energy supply:

(2) Clean Water Act –

- (A) CWA § 401 – No emergency authorities identified/available. After internal considerations, moving forward with proposal to rescind the Biden EPA 2023 CWA § 401 Rule and reinstate the Trump EPA 2020 CWA § 401 rule, subject to some specific issues that have arisen in the litigation of Trump EPA 2020 CWA § 401 rule.

(3) Clean Air Act –

- (A) Sec. 112(i)(4) [clearest and broadest] – "The President may exempt any stationary source from compliance with any standard or limitation under this section for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years. The President shall report to Congress with respect to each exemption (or extension thereof) made under this paragraph."
- (B) Sec. 110(f) [permitting] – Provides for exemptions limited to 4 months and focused on fuel burning stationary sources providing energy for residential

dwelling or related to high levels of unemployment in an energy emergency.

(C) Sec. 118 – up to 1 year, but only applies to federal facilities

(iii) March 20 – EPA Team (AO, Water, Air) met with DPC staff (Theo Merkel) to discuss permitting and emergency authorities around pharmaceutical manufacturing facilities, with similar identified emergency authorities for National Emission Standards for Hazardous Air Pollutants (NESHAP) as discussed above.

(1) Follow Up Mtg. Planned w/ Army Corps to discuss Nationwide Permits and potential incorporation of pharmaceutical manufacturing facilities in a new NWP.

b. *Weekly Update:* No Update – To date, EPA has not received any new permit applications for major energy infrastructure projects under our primary permitting programs.

c. *Interim Action Items and Targeted Completion Dates:*

(i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to utilize permitting or emergency authorities for the relevant agency actions as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB

(ii) Ongoing/TBD – EPA is implementing increased cooperative federalism principles and focus through permit program delegation/assumption/primacy.

(1) Reviewing EPA Standards/Guidance – Although EPA directly issues some permits, many jurisdictions (states, territories, tribal nations and municipalities) are approved to directly implement federal environmental permit programs on EPA's behalf. Where EPA has approved the delegation of permitting and regulatory responsibilities to states, EPA is returning to a focused oversight role, reducing the burden placed on these jurisdictions and states to implement their programs in an efficient manner. In these situations, EPA is responsible for developing standards and guidance for permit programs. EPA is reviewing and updating (as needed) these standards and guidance for permit programs to ensure jurisdictions do not overstep their authorities under the authorizing statutes.

(2) Focus Areas/Programs to Increase Delegation/ Assumption/Primacy – While delegation is common in a subset of environmental statutory programs,

EPA is increasing the opportunities for states to assume additional programs, completely removing the need for full federal programs and involvement beyond oversight. EPA is focusing on permitting programs (like Underground Injection Control (UIC) permitting) that have a direct impact on future energy projects.

d. POC: Travis Voyles (AO), Aaron Szabo (OAR), Jess Kramer (OW), Jeff Hall (OECA)

4. Ensure all agency guidance on greenhouse gas emissions are consistent with OMB Circular A-4 of September 17, 2003 (Regulatory Analysis), including domestic versus international effects, appropriate discount rates, and the value of emissions changes resulting from agency actions. Engage rule-making and regulatory or policy processes as necessary. (No. 124)

a. *Due:* Immediately (this is a gating item for another task assigned to EPA, which is due March 21)

(i) Day 1-Ongoing – EPA completed a review of all agency guidance to ensure consistency with OMB Circular A-4 and working to incorporate into all ongoing regulatory/policy reconsiderations and updates. EPA and NEDC staff have discussed two potential paths forward on the reconsideration of the social cost of greenhouse gases (SC-GHGs).

(1) Options – (1) Return to previous valuation used under last Trump Administration; or (2) completely rescind utilization of consistent valuation across federal agencies and return obligation to incorporate application of GHG emission impacts to individual agencies in their applicable cost-benefit analyses.

(2) Using NEDC/DCoS feedback on SC-GHG considerations, EPA is drafting guidance to provide for review that will be a first step in providing a consistent approach and appropriate value.

b. *Weekly Update:* EPA is reviewing a draft guidance document and anticipates sharing that with NEDC and OMB/OIRA the week of April 7.

c. *Interim Action Items and Targeted Completion Dates:*

(i) TBD – Announcing path forward and working with other federal agencies on implementation of impacted actions and regulatory/policy reconsiderations

d. POC: Travis Voyles (AO)

5. Pause disbursement of funds appropriated through IRA of 2022 and IIJA unless APEP and OMB approve, including funds for EV charging stations through the National Electric Vehicle Infrastructure Formula Program and the Charging and Fueling Infrastructure Discretionary Grant Program, subject to current and pending decisions. (No. 126)
 - a. *Due: Immediately*
 - (i) Day 1-Ongoing – EPA immediately initiated a funding freeze and review of all IRA/IIJA funding programs. In compliance with relevant court orders, EPA has released IIJA/IRA awarded and obligated funding.
 - (1) Feb. 6 – EPA initiated a review (outside of any EO/OMB directive) of all IIJA/IRA funding programs, which resulted in some additional pauses of program implementation, but focused on clearing programs from an implementation, oversight, and funding source standpoint.
 - (2) Current Status –
 - (A) Funding in 2 of the 3 programs (\$20B) within the Greenhouse Gas Reduction Fund have been frozen at an outside financial agent. On March 18, EPA cancelled all of the existing grants and pending ongoing litigation is in the process of getting the remaining funding returned to the US Gov't.
 - (B) All environmental justice related grant programs (funded by IRA, IIJA, and base appropriations) have been halted and all active grants have been cancelled (totalling nearly \$2B).
 - (C) All IRA-funded grant programs have halted new awards, but awarded and obligated funding is continuing to flow.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency funding programs and policies as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.
 - d. *POC:* Travis Voyles (AO), Paige Hanson (OCFO)

6. Review and adjust all processes and policies for grants, loans, contracts, and other financial disbursements for consistency with the policies of this order. (No. 126.1)
 - a. *Due:* Immediately
 - (i) Day 1-Ongoing – Working with DOGE, EPA a review process of all grants and contracts to ensure compliance, which has resulted in over \$2B in cancellations and more anticipated.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing/TBD – As EPA identifies the correct approach for strategic actions to suspend, revise, or rescind the relevant agency actions and funding policies as expeditiously as possible, the Agency will implement and provide updates to NEDC/NEC/OMB.
 - d. *POC:* Travis Voyles (AO), Paige Hanson (OCFO)
7. Identify, revise, and rescind actions unduly burdening domestic mining and processing of non-fuel minerals. (No. 132)
 - a. *Due:* Immediately
 - (i) Feb. 19 – More broadly, but directly impacting mining and processing, EPA submitted a report to OMB and CEQ detailing relevant agency actions to identify potential changes and agency actions to facilitate the Nation’s energy supply. While EPA is still coordinating with Army Corps on potential actions to facilitate direct Corps authority to act with emergency treatment, EPA has identified a short term, immediate solution, paired with a targeted revision of the current 2023 definition of “Waters of the United States” to conform with *Sackett v. EPA*, 598 U.S. 651 (2023).
 - (ii) March 12 – EPA and the Army Corps announced a joint memorandum issuing guidance to field staff on implementation of “continuous surface connection” consistent with the U.S. Supreme Court’s May 25, 2023, decision in the case of *Sackett v. EPA*. The agencies also announced a *Federal Register* notice publicizing a series of six listening sessions and a 30-day recommendations docket to solicit feedback on key aspects of the definition of “waters of the United States.”
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*

- (i) Ongoing - *Federal Register* notice publicizing a series of six listening sessions and a 30-day recommendations docket to solicit feedback on key aspects of the definition of “waters of the United States.”
 - d. POC: Jess Kramer (OW), Travis Voyles (AO)
8. Issue guidance to address harms and inadequacies of “social cost of carbon” calculations, including consideration of eliminating it from any federal permitting or regulatory decision. (No. 123)
- a. Due: March 21, 2025
 - (i) Day 1-Ongoing – EPA completed a review of all agency guidance to ensure consistency with OMB Circular A-4 and working to incorporate into all ongoing regulatory/policy reconsiderations and updates. EPA and NEDC staff have discussed two potential paths forward on the reconsideration of the social cost of greenhouse gases (SC-GHGs).
 - (1) Options – (1) Return to previous valuation used under last Trump Administration; or (2) completely rescind utilization of consistent valuation across federal agencies and return obligation to incorporate application of GHG emission impacts to individual agencies in their applicable cost-benefit analyses.
 - b. Weekly Update: Need NEDC/DCoS feedback on SC-GHG considerations.
 - c. Interim Action Items and Targeted Completion Dates:
 - (i) TBD – Announcing path forward on SC-GHG and working with other federal agencies on implementation of impacted actions and regulatory/policy reconsiderations
 - d. POC: Travis Voyles (AO)
9. Submit a report to NEC and OMB detailing findings and recommendations for aligning appropriated funds related to IRA and IIJA with the policies of this order. (No. 127)
- a. Due: April 20, 2025
 - b. Weekly Update: No Update
 - c. Interim Action Items and Targeted Completion Dates:
 - (i) Ongoing – EPA is identifying funding programs into three primary categories and will provide the comprehensive report to NEC/OMB by April 20. EPA has continued to provide ongoing

feedback to OMB as we have made individual decisions on programs and funding.

- (1) (1) programs to continue to implement as is; (2) programs that require updated implementation guidance or changes to implementation; and (3) programs that are not in alignment with Administration priorities and should not continue.

d. POC: Travis Voyles (AO), Paige Hanson (OCFO)

- 10. Identify and eliminate all environmental considerations not required by legislation and use the most robust non-arbitrary and non-ideological methodologies for permitting adjudications and regulatory processes. (No. 122)

a. Due: Ongoing

b. Weekly Update: No Update

c. Interim Action Items and Targeted Completion Dates:

- (i) Ongoing comprehensive review and related decisions implemented

d. POC: Travis Voyles (AO)

- B. [HYPERLINK "<https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>"] (January 20, 2025)

- 1. Consider issuing emergency fuel waivers for year-round sale of E15 gasoline. (No. 167)

a. Due: Immediately

- (i) Feb. 21 – EPA announced the agency’s decision to uphold the current April 28, 2025, implementation date to provide parity for E15 and E10 in Midwestern states (IL, IA, MN, MO, NE, OH, SD, WI). This action provides regulatory certainty for fuel suppliers and expands consumer access to E15 year-round in these states. At the same time, in recognition of concerns raised by some regarding fuel supply transitions, EPA intends to consider granting requests for a one-year delay for those states seeking additional time for compliance. Along with this, EPA will still have the ability to issue emergency fuel waivers to allow the year-round sale of E15.

- (1) [HYPERLINK "<https://www.epa.gov/newsreleases/ahead-summer-driving-season-epa-allows-expanded-e15-access-midwest-states-year-round>"]

- (ii) March 24 - EPA sent to the Federal Register a final rule, "Extension of Effective Date for Removal of Gasoline Volatility Waiver for Ohio and Nine Counties in South Dakota." This action extends the effective date of the removal of the 1-psi volatility waiver for gasoline in Ohio and nine counties in South Dakota, as requested by the Governors of Ohio and South Dakota. This action is part of EPA effort to ensure cheaper gas with E15 expansion. Our decision to expand year-round access to E15 fuel means more competition at the pump, lowering gas prices for millions of drivers in the Midwest.
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing – EPA is assessing the need to issue emergency fuel waivers to allow the year-round sale of E15.
 - d. POC: Aaron Szabo (OAR), Travis Voyles (AO)
- 2. Status report on actions taken and planned actions to promote energy use consistent with this order. (No. 169)
 - a. *Due:* March 21, 2025 (last report submitted [Insert Date])
 - b. *Weekly Update:* No Update
 - c. *Interim Action Items and Targeted Completion Dates:*
 - (i) Ongoing updates provided weekly
 - d. POC: Travis Voyles (AO)
- C. [[HYPERLINK "https://www.whitehouse.gov/presidential-actions/2025/03/immediate-expansion-of-american-timber-production/"](https://www.whitehouse.gov/presidential-actions/2025/03/immediate-expansion-of-american-timber-production/)] (March 1, 2025)
 - 1. Eliminate all undue delays in permitting processes related to timber production, and take all steps to suspend, revise, or rescind all existing agency actions that impose an undue burden on timber production. (No. 472)
 - a. *Due:* Immediately and ongoing
 - (i) Day 1-Ongoing – To date, where EPA has a role in the overall authorization/approval of timber related activities or infrastructure projects, the Agency in our oversight role (i.e. NEPA/EIS reviews) has limited our involvement to statutory-related input and ensured expedited/limited reviews. Additionally, where EPA has had a

contributing permitting approval role, the Agency has expedited the consideration of those permits.

- (1) EPA also may have permitting involvement in timber-related processing facilities under the Clean Air Act and Clean Water Act. As detailed on our general approach to permitting.
- (ii) March 12 – EPA took action to decrease the risk of future catastrophic wildfires by revisiting the Obama-Biden Administration’s Exceptional Events rulemaking and prioritizing the allowance of prescribed fires within State and Tribal Implementation Plans (SIPs/TIPs). When EPA reviews SIPs and TIPs, EPA will work to ensure states and other entities that work within those states can use prescribed fires to properly manage their forests, without being unfairly penalized when it comes to assessing their air quality. EPA will convene meetings with state and tribal air agencies and state, local, and federal forest managers to evaluate ways to ease unnecessary burdens that prevent prescribed fires. These unnecessary burdens are related to, but not limited to, Exceptional Events, Regional Haze, Interstate Transport, and International Transport.
- (1) [HYPERLINK
"https://www.epa.gov/newsreleases/administrator-zeldin-takes-action-decrease-risk-future-catastrophic-wildfires"]

b. *Weekly Update: New Regulatory Action identified*

- (i) EPA is working on issuing a Interim Final Rule on Clean Bio-mass Air Curtain Incinerator (ACI) and Temporary Incineration that we expect to be signed by the Administrator before July 2025. The rule would have the following benefits with respect to helping with ongoing timber operations and prescribed fires:
 - (1) Land management agencies use mechanical thinning to remove small trees, understory brush and other forest waste in advance of prescribed burns. This approach helps to minimize the possibility of a prescribed burn burning too hot or getting out of control. Current practice, in the absence of air curtain incinerators (ACIs), gathers that waste into burn piles, that then can smolder over days. These burn piles can also only burn under certain conditions, which ACIs are not subject to. (e.g., if it’s too dry or windy, they cannot burn)
 - (2) Enabling broader use of ACIs, by removing title V permitting requirements and other requirements, will enable those land management agencies to deal with forest waste cleaner and

more quickly, which in turn will facilitate the ability to increase the pace and scale of prescribed burns.

c. *Interim Action Items and Targeted Completion Dates:*

- (i) Ongoing/TBD – As projects are identified, EPA will evaluate any potential role we would have and determine necessary actions.

d. POC: Travis Voyles (AO), Jess Kramer (OW), Aaron Szabo (OAR)

2. Maximize use of ESA emergency consultation regulations to facilitate timber production. (No. 473)

a. *Due:* Ongoing

- (i) Feb. 19-Ongoing – EPA submitted a report to OMB, CEQ, Interior, and Commerce, and while EPA is still conducting a review of potential actions to facilitate the consultation process under the Endangered Species Act with emergency treatment, EPA has identified other potential short term, immediate solution for emergency authorities relevant to share with these agencies.

b. *Weekly Update:* No Update

c. *Interim Action Items and Targeted Completion Dates:*

- (i) Ongoing/TBD – As projects are identified, EPA will evaluate any potential role we would have and determine necessary actions.

d. POC: Travis Voyles (AO), Jess Kramer (OW), Aaron Szabo (OAR)

IV. Progress Updates on Specific Deregulatory Matters (excluding those covered above)

A. See attached *EPA Action Tracker* for full list of significant actions, including interim actions and targeted milestones for deregulatory actions.

1. *Weekly Update:* No Update

2. POC: Travis Voyles (AO)

V. Major Project Permitting Status (excluding those covered above)

A. *Constitution Pipeline* (PA/NY)

1. *Interim Action Items and Targeted Completion Dates:*

- a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY on 401 certification.

2. *Weekly Update:* No Update

3. *POC:* Travis Voyles (AO), Jess Kramer (OW)

B. *Enbridge Line 5 Project* (WI/MI)

1. *Interim Action Items and Targeted Completion Dates:*

a. Reevaluating Biden EPA's finding under CWA that project may have "substantial and unacceptable" impacts, which was used throughout permitting/review process.

2. *Weekly Update:* No Update

3. *POC:* Travis Voyles (AO), Jess Kramer (OW)

C. *NESE Pipeline* (PA/NY/NJ)

1. *Interim Action Items and Targeted Completion Dates:*

a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY/NJ on 401 certification.

2. *Weekly Update:* No Update

3. *POC:* Travis Voyles (AO), Jess Kramer (OW)

D. *Northern Access Pipeline* (PA/NY)

1. *Interim Action Items and Targeted Completion Dates:*

a. Informal discussions around CWA 401 strategy if project were to become active again, focusing on FERC options on engagement with NY on 401 certification.

2. *Weekly Update:* No Update

3. *POC:* Travis Voyles (AO), Jess Kramer (OW)

E. *Energy Transfer* – U.S. Gov't Debarment Proceedings

1. *Interim Action Items and Targeted Completion Dates:*

a. March 10 – EPA dismissed proposed debarment proceedings from Biden Administration and then PA AG Shapiro state-level criminal CWA violations, ensuring Energy Transfer would be eligible for federal contracting opportunities (i.e. Trans-Panama Gateway Pipeline project).

2. Weekly Update: No Update

3. POC: Travis Voyles (AO)

F. Mineral Exploration Related Projects

1. Interim Action Items and Targeted Completion Dates/Weekly Update: No Update

2. POC: Travis Voyles (AO)

Project & Applicant	State	Mineral	EPA Role
Eagle Mine, Lundin Inc. (expansion of existing mine)	MI	nickel	EPA UIC permit exemption by rule
Michigan Potash (existing mine)	MI	potash	EPA UIC permit reissuance
Kennecott, Rio Tinto (expansion of existing mine)	UT	copper tellurium	NEPA review of USACE EIS
Lisbon Valley (expansion of existing mine)	UT	copper	NEPA Review of BLM EIS EPA UIC aquifer exemption decision
Lost Creek ISR Project (expansion of existing mine)	WY	uranium	EPA UIC aquifer exemption decision
Strata Ross Kendrick ISR Project (expansion of existing mine)	WY	uranium	EPA UIC aquifer exemption decision
Libby Exploration Project (proposed mineral exploration)	MT	gold, silver, lead, zinc	NEPA review of USFS EA
Gold Hill (proposed mineral processing operation)	CO	gold	NEPA review of BLM EA
Copper Creek, Faraday Copper Exploration (proposed mineral exploration)	AZ	copper	NEPA Review of BLM EA
Hermosa South 32 (proposed new mine)	AZ	manganese zinc	NEPA review of USFS EIS CAA permit review
Silver Peak, Albemarle (expansion of existing mine)	NV	lithium	Review of BLM EIS
Tonopah Flats (proposed new mine)	NV	lithium	NEPA review of BLM EIS
South Railroad, Orla Mining (proposed new mine)	NV	gold	NEPA Review BLM EIS
Spring Valley Mine, Solidus (proposed new mine)	NV	gold	NEPA Review of BLM EIS
North Bullfrog, Corvus Gold Nevada, Inc. (proposed new mine)	NV	gold	NEPA Review of BLM EIS
Caldwell Canyon, P4 Production, LLC (expansion of existing mine)	ID	phosphate	NEPA Review of BLM EIS
Grassy Mountain, Calico Resources USA (proposed new mine)	OR	gold silver	NEPA Review of BLM EIS